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Senate

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We have thought, O God, of Your loving-kindness. You have blessed our Nation far more than we deserve. You have provided us with a goodly land of spacious skies and golden waves of grain. You have helped us create a durable government of, by, and for the people. You have protected us through wars and rumors of war.

May our lawmakers show their gratitude for Your loving-kindness by being responsible stewards of Your generous gifts. Give them the wisdom to protect the fragile gift of freedom. Lord, unite them in their commitment to do what is required to keep America one Nation controlled by Your sovereignty, with liberty and justice for all.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MCCONNELL. Mr. President, it was good to see Democrats finally bring an end to their weeks-long filibuster of the Homeland Security funding bill. Once the measure we voted on yesterday is complete, the Senate will consider sensible legislation from Senator COLLINS.

The Collins bill is really quite simple. It would protect our democracy from the most egregious example of Executive overreach we saw back in November. It is overreach described by President Obama himself as ''ignoring the law.'' The Collins measure simply takes the President at his word and helps him follow the law instead of ignoring it.

It is hard to see how any Senator could oppose such a good, commonsense idea. So we look forward to that vote.

NET NEUTRALITY RULE

Mr. MCCONNELL. Mr. President, on a different matter, later today the Obama administration's FCC will take up a proposal by the President to strike a blow to the future of innovation in our country. It is the so-called net neutrality rule.

The growth of the Internet and the rapid adoption of mobile technology have been a great American success story, and they were made possible by a light regulatory touch. In fact, it is this bipartisan light touch consensus that allowed innovators to develop and sell the products people want and to create the kind of high-quality jobs Americans need without waiting around for government permission.

The Obama administration needs to get beyond its 1930s rotary telephone mindset and embrace the future. That means encouraging innovation, not suffocating it under the weight of an outdated bureaucracy and poorly named regulations such as this one.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. REID. Mr. President, the essential Department of Homeland Security faces a shutdown in less than 48 hours. At 12:01 a.m. Saturday morning the government will be forced to shut down the most essential part of our government set up to protect the homeland.

It is really unthinkable that America is less than 2 days away from letting its guard down in the midst of such rampant global terrorism. Yesterday, three Brooklyn men were arrested for joining ISIS. FBI Director Comey said yesterday that his agency is investigating suspected ISIS supporters in every State—all 50 States.

As Republican Congressman PETER KING said:

We can't allow DHS not [to] be funded. People think we're crazy. There are terrorist attacks all over the world, and we're talking about closing down Homeland Security.

And listen to this sentence:

This is like living in the world of the crazy people.

Republican Congressman PETER KING of New York has said that what is going on with the work of the Republicans here in the Senate and the House is like living in the world of crazy people.

Yesterday the Senate voted to begin the process of considering passing a clean Homeland Security funding bill. Without an agreement to speed up the process, a vote on final passage would take place on Sunday. As I said yesterday, we on this side of the aisle are willing to expedite passage of this bill by consent. We are ready to do it right now.

Once a clean full-year funding bill for the Department of Homeland Security is passed and signed into law, we look forward to debating how to best fix our Nation's broken immigration system, just as we did 20 months ago with the help of the Presiding Officer and others.

Would the Chair announce the business of the day.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. RUBIO). Under the previous order, the leadership time is reserved.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 240, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate recess from 12:45 p.m. until 1:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Are we in morning business?

The PRESIDING OFFICER. We are on the motion to proceed.

Mrs. SHAHEEN. I will be speaking on the bill before us.

Madam President, we are just days away from an unthinkable government shutdown of the Department of Homeland Security. A government shutdown of the Department whose mission is to protect the citizens of this country is reckless and dangerous while we are under threat of attack by terrorist groups.

What kind of message does it send to ISIS, to cyber criminals, and to criminal drug gangs if Congress can't keep the Department of Homeland Security open?

This weekend we learned that a terror group from Somalia, al-Shabaab, released an online video calling for attacks on the Mall of America in Minnesota, as well as malls in Canada and England.

Just yesterday we learned that three Brooklyn, NY, men were arrested for plotting to travel to Syria to join ISIS. If they weren't successful in getting to Syria, they allegedly planned to commit an act of terrorism in the United States, and one even offered to kill President Obama if ordered to do so.

The role of the Department of Homeland Security in protecting our country from these threats and from so many others cannot be overstated. It is DHS that is working with State and local officials in Minnesota to coordinate a response to the Mall of America threat, and it is DHS and the Secret Service that help provide the counterterrorism and intelligence-gathering efforts that led to the arrests of the Brooklyn men who wanted to do harm in this country.

Referencing yesterday's arrests in Brooklyn, New York City Police Commissioner Bill Bratton said that this is not the time to engage in activities that would threaten our counterterrorism capabilities and effectively hold our counterterrorism agencies hostage to political machinations. This is not the time to be engaging in political rhetoric and political grandstanding.

I think Commissioner Bratton is right. Our Nation is already on high alert for terror threats after attacks in Sydney, Australia, and Ottawa, Canada, and in Paris. The Mall of America threat and the Brooklyn arrests reinforce the fact that we need our law enforcement community operating on all cylinders. Sadly, these aren't isolated threats.

A few weeks ago I spoke with the deputy commissioner of the New York City Police Department. He told me about the many terror attacks that have been thwarted in New York City since 9/11. He credited DHS, the funding, and programs that are coordinated through DHS and the personnel there for helping New York to prevent attacks from happening.

I have heard the same thing at home in New Hampshire from our law enforcement and first responders. I was in the town of Hampton, which is a coastal community, on Monday of this week. They talked about the importance of DHS support in developing a unified command for all of law enforcement in New Hampshire. They talked about the importance of the fusion center that is funded through the Department of Homeland Security because of the intelligence-gathering they do there and how they share that information with law enforcement agencies all across New Hampshire. Then they took me in and showed me a diagram of a human trafficking case that they are working on with the help of the Department of Homeland Security.

So this is not just about the big cities in the United States, it is about our rural communities, and it is about States across this country that rely on the Department of Homeland Security to help with their internal security. Yet here we are, less than 2 days away from shutting down the Department of Homeland Security because of unrelated ideological disagreements.

I am, however, very encouraged by recent developments here in the Senate, with yesterday's 98-to-2 vote to allow the Senate at some point in the future—hopefully sometime today—to pass a clean, full-year funding bill for DHS. I again applaud Senators MCCONNELL and REID for their efforts to get us to this point. I think we need leaders who are willing to work together, who are willing to encourage us here in the Senate. We saw that in the last few days with Senators MCCONNELL and REID.

Once the Senate acts, however, we will need the House of Representatives to join us in putting aside our ideological and political differences and passing a bill without controversial riders, a bill that will fund the Department of Homeland Security.

As we have discussed in this Chamber, there are disagreements about immigration and about the President's Executive action. I am certainly happy to have debate about that. I know there are others who are happy to have a debate. But first we need to fund the Department of Homeland Security. We need to put safety and security ahead of our ideological differences. We are just 2 days away from a devastating shutdown of DHS. We do not have time to waste. I certainly hope that we will act quickly here and that the House will also act quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NET NEUTRALITY

Mr. MARKEY. Madam President, a battle has been raging online in the past year. Millions of citizens, companies, innovators, and entrepreneurs have been sounding an alarm calling us to electronic arms. These 21st-century Netizens took to the street and they took to the Net. They raised their voices and demanded that the FCC protect the world's greatest platform for communications and commerce.

Today we declare victory. Today we say the economy and the free expression of ideas depend on Net neutrality. Today we say an open and free Internet is as important as keeping our air and water clean and our roads and highways safe. Today we say Net neutrality is here to stay. Today is Internet freedom and innovation day.

Just today the Federal Communications Commission is making historic decisions to enshrine Net neutrality protections. The Commission is voting to use its power to protect the tremendous power of the Internet. This battle for Net neutrality means that the Internet is protected for decades to come. It is protected for all the students and startups, for all the businesses and online buyers, for all of the inventors, the innovators, and the Internet users.

By banning paid prioritization, blocking, and throttling, the FCC is applying the principles of nondiscrimination—which is what Net neutrality really is—nondiscrimination to the

broadband world. This is the next chapter in the history of American innovation. It is our country's declaration of innovation. Chairman Wheeler and the FCC are on the right side of history.

This battle for Net neutrality was not fought without opposition. The deep-pocketed broadband barons want to turn the Internet into a set of gated communities. They say it will raise taxes. They say it is an overreach. They say it will not stand up in court. Some claim it will harm investment. But then companies such as Sprint and Verizon say it will not, in fact, influence how they invest. So I say to the critics: Do you want to return to the days when a few telecommunications giants—which today we would call big broadband barons—control the vital wires and spectrum we use to communicate or do we want a free, dynamic, open market where the best in ideas survives and thrives? The choice is clear.

The FCC Commissioners supporting the open Internet order have made the right choice. Today the people won. I applaud the FCC and Chairman Wheeler for standing up for students in their dorm rooms, engineers in their basements, and innovators in their garages. I applaud the FCC for standing up for the best ideas, not merely the best funded ideas. The FCC has chosen the right path forward. I commend the Commission for that action.

Reclassifying broadband under title II is a major victory for consumers, for our democracy, and for our economy. Consider that in 2013, 62 percent of the venture capital funds invested in this country went toward Internet-specific and software companies. The free flow of ideas supported by the Internet are creating the companies launching the global revolution and supporting the communications that we rely on every day. We want a free, dynamic, open market where the best in ideas survives and thrives.

Today is a historic, revolutionary day for consumers, innovators, entrepreneurs—anyone who counts on the Internet to connect to the world. I applaud and I thank the millions of American revolutionaries who stood up and fought for Net neutrality. The fight is not over. There is much more work to be done. But today is a historic victory. It is Internet freedom and innovation day.

Let's celebrate this transformative power of the Internet today and for generations to come. We are going to ensure that the architecture of the Internet remains one where the smallest entrepreneurs who can go to the capital markets and raise the funding for the new ideas, for the follow-on ideas to Google and eBay and Amazon and Hulu and YouTube, are able to be joined by new companies like Dwolla, like Etsy, like Vimeo, and like hundreds and thousands of others whose names we do not yet know, because now they are going to have the capacity to be able to say to their investors: We now have the capacity to reach a market. With our ideas, we can transform some part of the way in which people communicate in this country and on this planet.

That is what we are celebrating today—the power of the Net, the power of individuals to come up with the capital so they can then transform some part of the way in which we communicate in this life.

So just remember that when the 1996 Telecommunications Act passed, there were no companies like the ones I just mentioned. That was because it was an old world. But in the blink of an eye, a technological eye, we have moved to this new world where each of us is carrying a device in our pockets. Each of us is wondering how we ever got along without the capacity to be able to tap into all of these wonderful new companies and the products they provide. That is what today is all about—Net neutrality day. It will not impact the investments of the big companies, but it will ensure that the small companies—those that received 62 percent of all venture capital in America in the last year—will be able to provide their new products, their new innovations, their new challenges to the way in which we communicate. I think that is the whole key. We need to maintain the Darwinian paranoia-inducing competition that the Net has introduced. If we do that, then I think America will be No. 1, looking over its shoulder at Nos. 2, 3, and 4 in the world in terms of our innovation in the communications sector.

Congratulations to the Federal Communications Commission, and congratulations to all entrepreneurs across America. Today is a day when you should be celebrating.

RECESS

Mr. MARKEY. Madam President, I ask unanimous consent that the Senate recess until 1:45 p.m., as provided under the previous order.

There being no objection, the Senate, at 12:30 p.m., recessed until 1:47 p.m. and reassembled when called to order by the Presiding Officer (Mr. BARRASSO).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER (Mr. SASSE). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, with 1 day before the funding expires for the Department of Homeland Security, I rise to urge the adoption of a clean funding bill.

It seems we are on a path to ensure that, at least in the Senate, we are going to adopt a bill that funds the critical safety and national security functions of the Department of Homeland Security without extraneous immigration riders. I encourage my colleagues in both Chambers to embrace what Members on both sides of the aisle have acknowledged is the best way to resolve this issue—avoid a shutdown, enact the clean bipartisan Homeland Security bill, and address the immigration policies through regular order on the floor.

By now, we have all heard from a host of people spelling out the many negative impacts of a shutdown—our colleagues, Secretary Johnson, previous Secretaries, and many of our Nation's mayors. We would be unnecessarily disrupting funding which all of our States' emergency managers rely on and which allows for programs that function to keep us safe and keep people and goods moving securely and efficiently throughout our country.

My home State of Hawaii is 2,500 miles from the closest landmass. It hosts the Nation's fourth largest airport for international arrivals and is currently responding to and recovering from presidentially declared disasters related to lava threats and tropical storms.

For these and many other reasons, I am concerned that Congress would consider risking timely funding for the agencies that keep our airports safe, our coasts and waters secure, and provide for critical planning and response support to our States' first responders.

Additionally, I don't think anyone should attempt to trivialize a shutdown based on the argument that many Department of Homeland Security employees will have to report to work regardless. What an insult. For the thousands of Hawaii residents employed by the Department of Homeland Security, this is significant. These are middle-class jobs helping to support middle-class families. These employees will still have to make rent, pay a mortgage, buy gas, food, childcare and the like, and the Coast Guard's men and women will have to report for duty—not for pay. We owe them better than that. We shouldn't subject these families to uncertainty about their next paycheck.

Our path forward is actually totally simple: pass the original funding bill that was negotiated in good faith by both parties and both Chambers last December. Because of where we are right now, it is important to remember that the underlying Department of Homeland Security funding bill was the result of a bipartisan negotiation and compromise between both Chambers and both parties.

That means we have to resist the temptation in either Chamber to make political decisions that have no chances of success in the Senate or would be vetoed by the President. For example, reinserting partisan immigration riders into this bill is a nonstarter. The Senate has not wavered on this point, and that dynamic is not going to change.

Let's just do our jobs. Let's fund the Department of Homeland Security, and

then we can debate comprehensive immigration policy any time the leadership desires to bring it to the floor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, tomorrow, on February 27, the Department of Homeland Security will run out of money and be forced to at least partially shut down. This is the Department responsible for protecting America against terrorism. It faces a government shutdown in about 24 hours.

Last year the congressional Republicans insisted that when we pass the overall Federal budget we cut out of it the Department of Homeland Security and not fully fund the Department. They insisted on this so they could enter into a debate with the President over the issue of immigration, and the House of Representatives sent us funding for this Department contingent on five anti-immigration riders going after the President's position on immigration. They have created an artificial, unnecessary, dangerous funding crisis.

I have come to the floor over the last several weeks while this has been under consideration in the Senate urging the passage of a clean appropriations bill for the Department of Homeland Security. I was heartened yesterday by the overwhelming vote of 98 to 2 to move toward passing this clean appropriations bill. It appears we have finally come together on a bipartisan basis to fund this critical agency at the eleventh hour.

Sadly, there is no response from the House of Representatives as to whether they will even consider the timely funding for this Department, so we run the real risk we will have to shut down this Department and put America at risk as a result. That is unfortunate because we know how important this Department is and we know the threats are real.

It was just last weekend when we disclosed intelligence gathered that there were extremist groups threatening the malls of America. There were specific threats to malls that were owned by Jewish enterprises, whatever that meant, but that is what they said. That is what we are up against. We see it around the world, real terrorism and real extremism, and now the question is, Does the Speaker of the House see this threat? Do the Republicans who are in the majority in the House see this threat? Do they see it enough to want to fund this critical agency?

This morning on television there was an interview of one of the Republican Congressmen from Alabama. He said: No, this is really a debate about the Constitution, not about convenience.

Convenience? I don't understand that word when we talk about protecting America from terrorism. This is not a convenience, this is a necessity. This is part and parcel of why we exist as a Congress—to keep America safe.

So now the ball is in the court of the Republicans in the House. I think we will pass a clean bill here, and I think it will be overwhelmingly positive and bipartisan.

What is the issue that is sticking in their craw over there that troubles them so much that the House Republicans would jeopardize funding the agency assigned to keep America safe? It is the issue of immigration, particularly Executive orders issued by the President.

One particular part just absolutely gnaws at them as they think about the possibility the President's order of 2012—the so-called DACA order—will be carried out in the future. What is that order? It is an order which said: If someone was brought to the United States as a child—an infant, a toddler, a small child—undocumented, and they went to school in this country and they have no criminal record, we are going to give them a chance to stay here and not be subject to deportation. They can go to school here, they can work here, and they are protected by the President's Executive order—the so-called DACA.

The Republicans in the House hate this idea like the devil hates holy water. They can't understand why these young people who had no wrongdoing in coming to this country should be given this chance, and they are prepared to shut down the Department of Homeland Security if we don't relent.

I come to the floor regularly to tell stories about these young people, and today I want to tell you the story of one of these DREAMers. Her name is Maria Ibarra-Frayre. She was brought to the United States from Mexico at the age of 9, grew up in Detroit, MI, and is an excellent student. She spent a lot of her spare time in community service and as a member of the National Honor Society, the Key Club, and the school newspaper. She volunteered twice a week tutoring middle school students, performed over 300 hours of community service, and graduated from high school with a 3.97 grade point average. There aren't too many of us in the Senate who can boast that kind of grade point average.

Maria was admitted to the University of Michigan, one of the top State colleges in the Nation. She couldn't attend because she is undocumented. Instead, she entered the University of Detroit Mercy, a private Catholic school. She was elected vice president of the student senate. She also helped found the Campus Kitchen, taking leftover meals from the school cafeteria and delivering them to seniors who had difficulty staying in homes.

She participated in the alternative spring break, where she spent her vacation time helping those in need. One year, she went to South Carolina and helped rebuild an elderly couple's house, and another year she worked with the homeless in Sacramento, CA.

Maria graduated as valedictorian of her class, with a major in English and social work. After graduation, her options were limited because she was undocumented. I might add that she didn't have a penny of government assistance going through college—undocumented students don't qualify. But she dedicated herself to community service and volunteered for the Jesuit Volunteer Corps, a Catholic nonprofit organization.

Then in 2012 President Obama issued his order to give protection to a young person like herself. She was able to get a temporary work permit to work in the United States. She didn't run out and get a high-paying corporate job. She continued her community service, and now she is a full-time program coordinator for the Jesuit Volunteer Corps. She has applied to graduate school for social work. She wants to become an advocate for victims of domestic violence.

She wrote me a letter and talked about this Executive order which many House Republicans can't wait to rescind and defund. Here is what she said:

> DACA means showing the rest of the country, society, and my community what I can do. I have always known what I'm capable of, but DACA has allowed me to show others that the investment and opportunity that DACA provides is worth it.

If the Republicans have their way, Maria will be deported. Having spent the majority of her life in this country, pledging allegiance to that flag, singing our national anthem—the only one she knows—they want her out of this country as quickly as possible.

America is better if Maria can stay. People will get a helping hand from her as they have throughout her entire life. I cannot understand this mean-spirited political strategy that cannot wait to deport this wonderful, amazing young woman from America. And 600,000 young people, many just like her, are only asking for a chance to make this a better Nation.

I hope that we do have a debate on immigration. I hope Members of the Senate and Congress will reflect on the fact that we are a nation of immigrants. Our diversity is our strength. Young people such as this who come to America make us a better Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, 3 weeks ago I came to the Senate floor to speak on an amendment which I had hoped would provide a framework that would accomplish three goals:

First, to provide funding for the Department of Homeland Security so that it could perform its vital mission of protecting the people of our country;

Second, to put the Senate on record as opposing the President's extraordinarily broad immigration actions

issued by Executive order in November of 2014;

And, third, to ensure that individuals who were brought to this country as children and qualify for treatment under the June 2012 Executive order on Deferred Action for Childhood Arrivals—the so-called DREAMers that Senator DURBIN has just spoken of—could continue to benefit under that program.

I am very pleased that it looks like we are moving forward on a bill to fully fund the Department of Homeland Security. We had a very strong vote on that yesterday. Indeed, I have not heard a single Senator on either side of the aisle say that we should shut down the Department of Homeland Security. Each of us recognizes its vital mission.

As someone who served as the chairman or ranking member of the Homeland Security and Governmental Affairs Committee for a decade, I certainly understand how vital the mission of this Department is.

I am keenly aware, as a member of the Intelligence Committee, of the threats against our country and the risks that we face from those who would do us harm.

At the same time, as members of the legislative branch, we have an obligation to speak out and to register our opposition when we believe that the President has exceeded his grant of Executive authority under the Constitution in a way that would undermine the separation of powers doctrine. I wish to read what a constitutional scholar has said about the President's Executive order and how far the President could or could not go. This is what this constitutional scholar says:

> Congress has said ''here is the law'' when it comes to those who are undocumented. . . . What we can do is to carve out the DREAM Act, saying young people who have basically grown up here are Americans that we should welcome. . . . But if we start broadening that, then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that's not an option.

Who was that constitutional scholar? It was the President of the United States, Barack Obama. He said this in September of 2013. President Obama got it right back then. I believe that he was within the scope of his Executive authority when he issued the 2012 Executive orders that created DACA, which allowed for the DREAMers to stay here.

Let me also make clear that I am a supporter of comprehensive immigration reform. While I was disappointed that immigration reform legislation of some sort did not become law when we passed it a few years ago, I reject the notion that its failure can serve as justification for the actions taken by the President last November. He simply cannot do by Executive fiat what Congress has refused to pass regardless of the wisdom of Congress's decision. Such unilateral action is contrary to how our constitutional system is supposed to work, and it risks undermining the separation of powers doctrine, which is central to our constitutional framework.

That is really what this debate is about. It is about the proper constitutional constraints on unilateral Executive action. It happens to be an Executive action that deals with immigration, but it could be an Executive action on any other issue. That is why it is important that we draw those lines.

Indeed, the legislation I proposed, which we will be voting on at some point, is fully consistent with the court ruling in Texas, which my colleague, the senior Senator from Texas, is very familiar with and knows much more about than I do. But it is fully consistent with that ruling which lets stand the 2012 Executive order but stayed the implementation of the 2014 Executive order. There is a difference.

Now, I consider the Senator from Illinois to be an excellent Senator and a dear friend, and it truly pains me to disagree with his analysis of my amendment. I know that he acts in good faith. But there are either misunderstandings or misinterpretations or just plain disagreements. So I would like to go through some of the points that he has made about my amendment.

One of the chief objections of the Senator from Illinois to my bill is that it strikes provisions of the November 2014 immigration action that would expand—that is the key word; it would expand—the 2012 DACA Program to add certain individuals who are not eligible under that program.

He talks about expanding the age limit, for example.

Now, let's take a look at exactly what the criteria are for DREAMers under the 2012 Executive order. These are criteria that were praised by my friend from Illinois and numerous other Senators on the Democratic side of the aisle when the President issued his Executive order. I, too, agree with these criteria.

In order to qualify, an individual has to have come to the United States under the age of 16, has to have continually resided in the United States for at least 5 years preceding the date of this memorandum, and has to be present on the date of the June 15, 2012, memorandum.

The individual has to be currently either in school, have graduated from high school, have obtained a general education development certificate or has to be an honorably discharged member of the Coast Guard or our military. In addition, the individual has to have a pretty good record. The person cannot have been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses or otherwise pose a threat to national security or public safety. And they cannot be above the age of 30.

These are reasonable criteria that the President came up with.

Frankly, I am not enthralled with the one that allows for multiple misdemeanors, and the Executive order also states that the individual cannot have multiple misdemeanors. The form that is used by DHS says the individual can have up to three misdemeanors. I personally would require an absolutely clean record. But these are reasonable criteria, and these are not changed by the Collins bill in any way. The 2012 Executive order stands.

So the argument of my friend from Illinois is focused on the fact that he wants an expansion of these criteria and to add other categories of individuals, and that is what the November 2014 immigration action does. It has nothing to do with the status of the individuals who were allowed to stay in this country as a result of the 2012 Executive order. My amendment protects the 2012 Executive order and those who benefited from it.

So we have a sincere disagreement over what is appropriate to be done by Executive action and what needs to be done by legislation. Even though I support many of the policies that are in the 2014 Executive order, I just don't think the President can unilaterally proclaim those changes.

Mr. DURBIN. Will Senator yield for a question?

Ms. COLLINS. If the Senator's question is a brief one, I will be very happy to yield.

Mr. DURBIN. I will make it very brief. If the Senator acknowledges—and I believe she does—that the President had the authority in 2012 to issue an Executive order under DACA and to spell out the criteria, which includes, at the very bottom of her chart, that the person is not above the age of 30, why does the Senator disagree with this situation: someone who was 29 years old in June 2012, eligible for DACA, the Executive order, and now it is 2½ years later, and the President tried to amend in November 2014 that last line to expand it so that those who have aged out would still have a chance because Congress has not acted otherwise. Why would the Senator from Maine draw that distinction saying that the President has the authority to write this order but not the authority to amend this order?

Ms. COLLINS. Mr. President, I am happy to respond to the point made by the Senator from Illinois.

The point is that the President's 2014 Executive order goes far beyond those who would ''age out,'' in his words; it adds entirely new categories of people. In fact, the estimates are that some 5 million undocumented individuals would be covered by the 2014 Executive order. Should the President unilaterally be allowed to make that kind of Executive order, that kind of change in our immigration law? The court has said no, and I believe the court is right about that. In fact, when these criteria were issued in 2012, the Senator from Illinois said in a press release as recently as June of last year, before the November Executive order, that this was a smart and lawful approach.

So the answer is, how do you draw the line, and what is the appropriate role of the executive branch vis-a-vis the legislative branch? And I say that as someone who believes and hopes that later this year we will take up a comprehensive immigration bill, and I hope to be able to support it again. But this is an issue of what is the proper role of Congress vis-a-vis the President under our constitutional system. And I was not surprised when the Texas court kept the 2012 Executive order but blocked the 2014 Executive order.

There is another issue the Senator from Illinois has raised that I think is a very important point to make. He has said that my bill could bar some of those who received the ability to stay in this country through the 2012 Executive order from renewing their status.

That is simply not how I read the Executive order, and I think it is very clear. Let's look at the 2012 Executive order. This is what it says. This is what Janet Napolitano talked about in ''exercising prosecutorial discretion.'' The June 15, 2012, DACA Executive order grants deferred action ''for a period of two years''—here are the key words—''subject to renewal.'' So there is nothing in my amendment that prevents children and young adults—people up to age 30—from getting a renewal of the deferred status that they have been granted through this Executive order. It says it right there: ''subject to renewal.''

But let's look further at the data. This is on DHS's Web site. According to the data from U.S. Citizenship and Immigration Services, the government has renewed more than 148,000 2012 applications as of the first quarter of this fiscal year, and many of them were completed before the November 2014 Executive orders were even issued.

So there is nothing in my bill that prevents the renewal of those individuals who received this status. It is very clear—148,000 of them have had their applications renewed.

The Senator from Illinois has said that I would prevent DHS from issuing a memorandum that allows for the renewal. There is no need for such a memorandum; otherwise, 148,000 of these young people would not have been able to get a renewal—and before the 2014 Executive order was even issued.

The Senator has also said that my bill calls into question the very legality of the 2012 DACA order because it is a ''very similar program to the 2014 Executive action.''

To restate my basic point, my bill does not affect the 2012 DACA Program. It is substantially different from the 2014 Executive order. In fact, if you read the language of the 2014 Executive order, it embraces that distinction. It specifically states that it does not rescind or supersede the 2012 DACA order.

Let me say that again. The 2014 Executive order specifically states that it does not rescind or supersede the Executive order that was issued in 2012. Instead, it says it seeks to supplement or amend it.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. HOEVEN. The Senator from Texas.

Ms. COLLINS. I will be happy to yield to the Senator from Texas.

Mr. CORNYN. I appreciate the leadership of the Senator from Maine on this issue, and in her typical diligence and attention to detail, I think she has shown that the objections to a vote on the Collins amendment, which would be scheduled for Saturday unless moved up, are not well-taken.

I would ask the Senator from Maine whether her interpretation of the President's Executive action in November of 2014 is any different from what the President himself said 22 different times, when he said he did not have the authority to issue such an Executive action?

Ms. COLLINS. Mr. President, if I could respond to the senior Senator from Texas, he raises an excellent point. I would bring up a quote that is just one of those 22 quotes in which the President has said over and over again that he would like to do more on immigration, that he was very disappointed the House didn't take up the comprehensive immigration bill but that his hands were tied. I believe at one point he even said, ''I am not a king.''

Mr. CORNYN. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would ask the Senator from Maine—you are not alone—and the President is not alone—in stating your objections to the 2014 order. Your amendment would seek to get a vote and to put Senators on record. Is the Senator aware that there are a number—perhaps seven or eight Senators on the other side of the aisle who at different times around the November 2014 order said they were uncomfortable with the President taking this authority unto himself? In other words, I think the junior Senator from Maine was one who said that while he may agree with the outcome, this is not the right way to do it. Are you familiar with the fact that there are many of our Democratic friends who have expressed similar concerns about the illegality of the President's Executive action?

Ms. COLLINS. Mr. President, it doesn't surprise me that there are both Democratic Senators and Republican Senators who are extremely uncomfortable with what the President did last November because it is so outside of the scope of his authority as President that I think that most of my colleagues, in their hearts, on the other side of the aisle must have qualms and misgivings about what the President did. In fact, I would almost guarantee that if a Republican President had exceeded his Executive authority to that degree, there would have been an uproar. So I think this is important in terms of our protecting the checks and balances that our Founding Fathers so wisely incorporated into the Constitution. And I do believe there are even more Senators on the other side who may not have said what they were thinking but who really do have qualms about it even if they agree with the policy.

We need to distinguish between the policy—whether or not some Members agree with the policy; some Members don't—but the question is, Does the President's frustration with Congress's failure to pass immigration reform allow him to unilaterally write the law?

The Senator from Texas is a former Supreme Court justice in Texas, and through the Chair I would pose that question to him.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I have to say to my friend, the Senator from Maine, that the Constitution is written in a way that divides government's authority between the executive, legislative, and judicial branches. And I, of course, agree that there can be no justification on the part of the President that somehow Congress hadn't acted enough or quickly enough or expansively enough to justify the extension of his authority under the Constitution.

I wish to ask my friend from Maine another question in order to drill down on her earlier point. It seems to me that the Senator from Illinois, the distinguished minority whip, is making the suggestion that we are mad about people benefiting from this Executive action, which, to my mind, could not be further from the truth. We all understand the aspirations of people wanting a better way of life and to have opportunities, but isn't it true that when we all take an oath to uphold the constitutional laws of the United States—whether you are the President or a Senator—we have a sacred obligation to make sure no branch, including the President, usurps the authority of another branch or violates those constitutional limitations?

Ms. COLLINS. Mr. President, the Senator from Texas, who has a fine legal mind and has served on the Texas Supreme Court, is exactly right.

Moreover, I wish to read what President Obama himself said about the very point the Senator from Texas made about the oath when we held up our right hand and were sworn into this body, and the oath the President took when he became President. Here is what the President said in July 2011:

> I swore an oath to uphold the laws on the books . . . Now, I know some people want me to bypass Congress and to change the laws on my own . . . But that's not how our system works. That's not how our democracy functions. That's not how our Constitution is written.

President Obama had it exactly right when he stated that reality.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. The Senator from Maine has been very patient with me. If I could ask two final questions.

Given the 22 different public statements the President of the United States himself said about his lack of authority to do what he did in November of 2014, given the reservations publicly expressed and reported by a number of Members on that side of the aisle about what the President has done, and given the fact there are 11 Democratic Senators who come from States that filed a lawsuit to block the President's Executive action, can the Senator from Maine understand why the Democratic minority would try to block the Senator's amendment, which would put all Senators on record as to whether they agree with the President when he said that 22 times, whether they agree with the court that issued the preliminary injunction, and whether they agree with their own States that participated in this litigation to block the implementation of this unlawful order?

Can the Senator think of any reason why they would try to block or defeat the Senator's amendment and put all Members of the Senate on record?

Ms. COLLINS. Mr. President, to respond to the Senator from Texas, I hope that will not happen. I have put forth a way forward for this body. I want to ensure that the Department of Homeland Security is fully funded throughout the fiscal year. I want to ensure that we do not overturn the 2012 DACA Executive order, which is narrow enough that it does not raise the very troubling issues the Senator from Texas has so eloquently outlined. But I do believe it is important for each of us to take a stand against the President's overreach here. This is important. This matters.

It is our job to protect the Constitution and to uphold our role, and that is what I am trying to do here—accomplish those three goals—and that is what the Senator from Texas is discussing.

Mr. CORNYN. Mr. President, if I could ask the Senator from Maine one final question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. My friend has been enormously patient with me. We are trying to drill this issue down here so all of the Members of the Senate understand exactly what the Collins amendment does and does not do.

We have talked about the fact that not only are there Members of the Senate who are on record saying what the President did was an overreach, there are 11 Democratic Senators who come from States that filed a suit claiming irreparable damages to their States and will have an opportunity to vote for the Collins amendment—hopefully here soon.

I wish to ask the Senator: There is one part of what the President's Executive order does that, to me, stands out above and beyond the constitutional issues, and that is the ability of people who have committed domestic violence, child exploitation, sexual abuse, and child molestation to somehow get kicked back to the end of the line when it comes to being repatriated to their state.

For example, we all understand, as I said earlier, immigrants come here for a better life. We all understand that. We would hope they would come and play by the rules as opposed to not playing by the rules. Why in the world would the President want to reward, in effect, people who have committed domestic violence, child exploitation, sexual abuse, and child molestation by moving them down to a second-tier status of priority when it comes to repatriation?

Is the Senator familiar with what I am referring to? Perhaps my friend can enlighten us further on that.

Ms. COLLINS. Mr. President, I am familiar with the issue the Senator from Texas refers to, and I kept a provision included in the bill that we will be voting on at some point, on that issue. It seems to me, if you are a convicted sex offender, why do we want you in this country?

The irony is that just this week the Senate Judiciary Committee held a hearing on sex trafficking, and we heard heartbreaking stories of very young girls who had been abused by men, who had been taken from State to State, coerced into prostitution. I do not want those individuals, if they come from another country, to be allowed to stay here. All 20 of the women of the Senate requested this hearing from the Judiciary Committee, and the Senator from Texas and the Senator from Minnesota have bills that deal with this kind of human trafficking. We are trying to send a message that these individuals should be a high priority for deportation, but I want to make it clear that contrary to allegations that have been made about my bill—and, frankly, it is a completely specious argument—there is nothing in my bill that deprives the Department of Homeland Security of the authority it needs to pursue those who would seek to harm our country—those, for example, who are terrorists or belong to gangs or pose some sort of public safety or national security threat.

Indeed, the public safety threat is big enough to cover the people we are talking about, but we think they merit special mention in our bill. Why would we want to keep someone in our country who is deportable, who is a sex offender, who has been convicted of child molestation or domestic violence? It makes no sense.

Mr. CORNYN. Mr. President, if I could close with a followup question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I thank the Senator from Maine for her leadership on this important amendment. To me it is unthinkable that Senators would block a vote on the Collins amendment at some point in the process this week because what it does, as the Senator has pointed out, is basically reinforce what the President said himself 22 different times when he said he didn't have the authority. It reaffirms what the Federal District Court held in Brownsville recently, and which 26 States filed suit on. I share the Senator's bewilderment, really, at how on one hand we can be condoning people coming into the country and showing disrespect not only for our immigration laws but compounding that disrespect with these heinous offenses, such as domestic violence, child exploitation, sexual abuse, and child molestation, particularly after we voted unanimously out of the Senate Judiciary Committee on a bipartisan basis these anti-trafficking bills the Senator spoke about.

I want to close by thanking the Senator and the women of the Senate for leading us toward passage of this anti-trafficking legislation, but to also point out, once again, the complete unacceptability of this idea that somehow we are going to play games by blocking the Collins amendment vote and somehow condoning the same conduct on one hand and on the other hand we are condemning them through the passage of this anti-trafficking legislation.

I thank the Senator and the Presiding Officer.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Texas for his contributions to this very important debate. I believe he helped to clarify a lot of important issues that I hope Members on both sides of the aisle will consider as they cast their votes.

I am for comprehensive immigration reform. I have voted that way. That is not what this is about. My bill simply prevents the executive branch from usurping the legislative power by creating categorical exceptions from the law for whole classes of people. That power belongs to Congress. Whether Congress was wrong or whether Congress was right, it does not give the President the authority to write the law on his own, and that is what he has done with his November 2014 Executive order.

I wish to make two other points before I close. The first point is there is nothing in my legislation that in any way undoes the more limited 2012 Executive order that applies to the DREAMers—nothing. It doesn't prevent them from being renewed nor does it take away their status. There is nothing that changes that Executive order. The first version of the House bill did, and I opposed that provision and it is not in my bill.

The second point I will make is that this debate is not about immigration. It really is about the power of the President versus the powers delineated in our Constitution for Congress and the judicial branch.

I will close, once again, with President Obama's own words, because he

got it right back in September of 2013. He said:

Congress has said ''here is the law'' when it comes to those who are undocumented . . . What we can do is to carve out the DREAM Act—

And that is what he did with his 2012 Executive order.

saying young people who have basically grown up here are Americans that we should welcome . . . But if we start broadening that—

Which is exactly what he did in his 2014 Executive order.

then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that's not an option.

That is why the court stayed the implementation of the 2014 Executive order.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

NET NEUTRALITY

Ms. CANTWELL. Mr. President, I rise today to speak about a historic decision by the Federal Communications Commission. It was a 3-to-2 decision in a landmark case that will go down as a way to protect an open Internet economy. Consumers all across America should applaud this decision—and I know they will in the Pacific Northwest—because we will be protecting an aspect of our economy that has created thousands of jobs and millions of dollars.

This decision, known as Net neutrality, simply says that cable companies and telecom companies cannot artificially charge more on the Internet, thereby slowing down traffic or making a two-tier system in which some applications would be given access to faster service and others not, based on what they paid for.

This is an important decision because it champions an open Internet economy that has built so many new aspects of the way we communicate, the way we educate, and the way we continue to transact business around the globe. In 2010 the Internet economy accounted for 4.7 percent, or approximately $68 billion, of America's gross domestic product. Next year that Internet economy is expected to pass $100 billion and comprise 5.4 percent of our country's estimated $18 trillion GDP. So in 6 years the Internet's value has climbed over 30 percent.

What this decision says is: Let's protect the Internet. Let's not artificially tax it, let's not artificially slow it down, and let's not artificially create two tiers of an Internet system and stymie innovation. So many of us now know and enjoy the benefits the Internet provides when we buy a Starbucks coffee and use an app to pay for it or use an app to get on an airplane—and so many other ways that we communicate in an information age. Slowing all that down by just one second causes big problems and curtails an economy of growth.

We all know we have questions about the way cable companies and phone companies charge us for data. Let's make sure the Federal Communications Commission does its job by overseeing those companies that might want to charge more for those services than they need to charge. Let's keep an open Internet. Let's have Net neutrality be the law of the land.

I applaud the FCC for this historic decision today.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER. Mr. President, I rise today in partnership with Senator THAD COCHRAN from Mississippi having just submitted a resolution recognizing and celebrating Black History Month here in the United States of America.

I wish to take a few moments before that to address an issue that very poignantly has been anguishing my heart for my entire life. From the time I was growing up in the small town of Harrington Park, NJ, through my career in school and college, this has been grieving my heart. It has been grieving my heart since I started working in a predominantly minority city—a city I love—Newark, NJ.

I bring this up in the context of a previous speech I gave about our broken criminal justice system that makes us singular, among all of humanity on planet Earth, for the amount of our population that we incarcerate. We have 5 percent of the globe's population but about 25 percent of all of the globe's imprisoned people. This explosion is not consistent with our history. In fact, it is inconsistent with our history. It is incongruent with our values. To be very specific, the explosion of our prison population is because of the war on drugs.

The bottom line is that there were fewer people incarcerated in 1980 for any reason than there are today in prison and jails for drug offenses alone. Let me say that again, we have more people incarcerated today, either in prisons or in jails, just for drug crimes than all of the people incarcerated in the year 1980. In fact, due to this drug war our Federal prison population has exploded about 800 percent.

In the context of what I am about to talk about in this resolution recognizing African-American history, I wish to particularly point to today this grievous reality that our war on drugs has disproportionately affected African Americans, Latinos, minorities, and the poor in general.

It is painful for me to have seen in my lifetime, in the town I grew up in or at Stanford or Yale, many of my friends using drugs such as marijuana, many of them buying drugs such as marijuana, and many of them selling drugs such as marijuana. But the reality is the justice system they experienced for breaking the law was very different than the justice system I saw in Newark, NJ. The reality is we don't have a system of equal justice under law, but a system that disproportionately affects minorities in a way that is stunning and an affront to our nation's values. Arrest rates for drug use have a disparate impact on people of color. There is no questioning that. This is unacceptable. When it comes to people who break the law in America, there is actually no difference between blacks and whites who have committed drug crimes—none whatsoever, but African Americans, for example, when it comes to marijuana, are arrested at 3.7 times the rate that whites are in this country. While their usages were similar in Newark or Stanford, law enforcement has arrested and incarcerated far more minorities living in urban communities than whites living in suburban communities.

Between 2007 and 2009, drug sentences for African American men were longer than those for white men. Drug sentences for black men were 13.1 percent longer for the same crime than those for white men. So not only are more African Americans and Latinos and people of color being targeted and arrested at higher rates than whites for the same crimes, but they are also getting and serving longer sentences.

Human Rights Watch put it simply. They found that even though the majority of illegal drug users and dealers nationwide are white, three-quarters of all people imprisoned for drug offenses are minorities. This should call out to the conscience of everyone in our country.

We believe fundamentally, at the core of our American values, in this ideal of equal justice under the law. The punishing thing about this is that not only are arrest rates higher, not only are they receiving longer sentences, but when we get such a disproportionate amount of people being arrested and incarcerated, the collateral consequences which they see at the end of the system become even more punishing on those communities. We now have cities in America that for certain age demographics, almost 50 percent of African American men have been arrested, and over 40 percent of Latino men have been arrested. And what that means is that once someone has a felony conviction for the nonviolent use of drugs, one's ability to go to college, to get a Pell grant, to get a job, and even to get many business licenses, is undermined.

Right now we see this punishing impact destroying many communities. Instead of empowering people to succeed, we are getting people trapped in our criminal justice system. Instead of the solid rock of success, people are being sucked into the quicksand of a broken criminal justice system. For example, the blacks and Latinos in the United States are 29 percent of the population but make up almost 60 percent of the prison population. In New Jersey, blacks and Latinos are 32 percent of

the total State population, but blacks and Latinos make up 81 percent of our prison population.

An often overlooked group in this discussion on the disproportionate impact on minorities is Native Americans. For instance, in North Dakota, Native Americans make up 5 percent of the total State population but 29 percent of the prison population. These numbers, again, go against the truth of who we are as a country.

So at this moment, when we are celebrating our history, when blacks and whites and Christians, Jews, and Muslims come together to advance our Nation—indeed, I stand here today because of the collective conviction of this country to live up to its values and ideals that all of us are created equal under God and that all of us should have an equal opportunity to succeed and be seen equally by our government.

It is at this moment that I say we can and must do better. In fact, many States, including red States, led by Republicans, are showing that there is a different way. For example, States such as Texas, Georgia, and North Carolina are leading on this issue. Texas is known for its law and order, but it has made tremendous strides in adopting policies that have decreased its prison population and positively affected minorities in the State. In fact, the Governor of Georgia continually talks about the fact that he has been able to lower his black male incarceration rate by about 20 percent over the past 5 years.

So as I prepare to join with the great Senator from Mississippi, I just want to say from the bottom of my heart that it is time to reform our legal system to make it truly a justice system. We want it so that everyone under the law faces equal treatment and so that we empower our entire community in America to be successful, not tie them up unnecessarily when even though they have paid the price for their crime. Punishment should not haunt someone for the rest of their existence.

I remember these words spoken by the great Langston Hughes, one of our great American poets, an African-American man who once said: There is a dream in this land with its back against the wall; to save this dream for one, we must save it for all.

This is the dream of America. We can do better. Indeed, many communities are committing themselves to creating a justice system which we can be proud of. We know in the Senate—Members on both sides of the political aisle; whether it is Senator LEE or Senator DURBIN or whether it is Senator CORNYN or Senator WHITEHOUSE—that together we can evidence these values.

With that, I recognize and yield for a moment to a friend and an ally, the Senator from Mississippi, THAD COCHRAN.

Mr. COCHRAN. Mr. President, I am very pleased to join my friend in introducing legislation celebrating Black History Month. This opportunity provides us with an excuse, if we need one, to remember the challenges and the failures of the past, and the embarrassments and the criminalities, and so many challenging and horrible things that have characterized the treatment of citizens in the United States with injustice, with discrimination, with segregation, and all of the horribles we can remember as we contemplate this subject.

Today, the Senator from Mississippi is joining the Senator from New Jersey and others in giving us another opportunity to not only remember past injustice and celebrate victories over it but also to commemorate contributions being made today throughout our country to ensure equality and justice and opportunity for all Americans.

The rich history we have as a nation should include a promise for the future carved by African Americans as central contributors. They were here during the darkest times. They are still here, and they are continuing to make huge and important contributions to our Nation.

So I am pleased to join my friend, the distinguished Senator from New Jersey, to support the adoption of our resolution.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I cannot tell you how grateful I am for those good words from my colleague. Truly, they resonate with my heart and my spirit. The gravity of this historic moment is not lost on me. It is a tribute to his character that he cosponsored this with me, as he understands, as he said so clearly, that American history is a beautiful mosaic, with contributions from every corner of the globe being made in this great country that we call the United States of America.

It is with that spirit and that recollection of our past, with a commitment to forge an even brighter future, that I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 88, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 88) Celebrating Black History Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BOOKER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 88) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. BOOKER. Mr. President, I am grateful for that. Again, I thank my colleague for his partnership.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

ORDER OF PROCEDURE

Mr. BOOKER. Mr. President, I ask unanimous consent that the Republicans control the next hour and that the Democrats control the following hour.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, the majority will control the next hour, and the Democrats will control the following hour.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, on July 14 of last year, I wrote a letter to lawmakers on both sides of the aisle warning that the President was planning to issue an Executive amnesty for 5 million illegal aliens—people unlawfully in America. Congress was at the time considering a supplemental funding measure for the Department of Homeland Security.

I wrote:

Congress must not acquiesce to spending more taxpayer dollars until the President unequivocally rescinds his threat of more illegal executive action... If Congress simply passes a supplemental spending bill without these preconditions, it is not a question of if the President will suspend more immigration laws, but only how many he will suspend.

Executive amnesty became a major issue in the election last November. Many Members of the Senate and House who had supported these immigration policies of the President didn't come back. They were sent home, and many returning on both sides of the aisle said during their campaigns that they opposed these policies.

Still, on November 20, after a historic midterm election defeat, President Obama defied the will of the American people and Congress and issued his Executive amnesty for 5 million persons. This amnesty included not just the right to stay in America but an explicit photo ID, work authorization, work permits, Social Security numbers and Social Security benefits, Medicare benefits, cash tax credits, and the right to basically take any job in America—at a time of high unemployment and falling wages, as economists have told us is happening.

Each of these measures had been considered and explicitly rejected by Congress. It wasn't as if this was something the President just conceived. It had been considered and rejected. Congress acted decisively to oppose the President's legislation and to maintain in effect the current laws of the United States as codified in the Immigration and Nationality Act. President Obama's Executive action nullified the immigration laws we do have and replaced them with the very measures Congress and the American people have time and time again rejected.

Not even King George III had the power to act without Parliament. President Obama himself described such an action as being something only an emperor could do. Those were his words. Twenty-two times the President declared such an action would be illegal. President Obama ignored his own warnings and issued an edict that defies the Congress, the Constitution, and centuries of legal heritage that gave birth to our present Republic.

The Founders, in their wisdom, gave the Congress the tools it would need to stop a President who overreaches. First, it gave the power to pass laws to the Congress, as every child in school knows. Congress passes the laws, not the President. This is a matter of great fundamental importance. Then it gave the Congress the tools it would need to stop a President because they anticipated Presidents may overreach in the future. Chief among those powers is the power of the purse, and that is what we are talking about today: Should Congress fund the President's actions that are contrary to law, contrary to congressional wishes, and contrary to the American people's wishes? That is the question.

Let me now read from the Federalist Papers, Federalist 58, authored by the great Father of the Constitution, James Madison. He is talking about the House of Representatives, and the House of Representatives now has funded Homeland Security fully. Everything that needs to be passed to fund the Homeland Security operations they passed. They simply said: You cannot spend money to provide amnesty and these benefits and these Social Security and ID cards. You can't spend money on that. We don't approve spending money on that.

So what has happened in the Senate? Our Democratic colleagues have filibustered the bill. They will not even let it come up on the floor, not even to vote on amendments. Senator MCCONNELL told them they would have amendments. It has put the Congress and the country in a very difficult position.

This is what Madison said:

> The House of Representatives cannot only refuse, but they alone can propose, the supplies requisite for the support of government. They, in a word, hold the purse, that powerful instrument, by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its activity and importance, and finally reducing, as far as it seems to have wished, all the overgrown prerogatives of the other branches of government. This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

It is a complete power of the elected representatives by the people of America. First of all, the American people through their elected representatives rejected the President's policies on immigration. They chose to keep current law, but this did not satisfy the President. He asked Congress to change it, and Congress refused. They refused in 2006, 2007, 2010, 2013, 2014. It has been rejected by Congress repeatedly. So that is where we are.

Congress has no duty to do this. Congress has no obligation to fund those actions which it believes simply are unwise. It has an absolute duty, it seems to me, not to fund actions which are unlawful and unconstitutional. Congress cannot fund an action which dissolves its own powers.

Congress shouldn't fund Presidential actions that are against the law, and Congress certainly cannot fund an action which dissolves its own powers. Congress cannot become a museum piece, a marble building that tourists visit to hear about great debates from long ago, but which now exists merely to approve that which the President demands. It doesn't have to approve one thing the President asks for if it is not a correct thing.

So consider the precedent being established here: Congress passes a law, just as Congress passed the Immigration and Nationality Act. A President proposes a new law to replace the current one. Hearing vast public opposition, Congress rejects the new law the President has proposed. Frustrated, the President then issues an edict eliminating the current law and replacing it with measures he has proposed but which the people's representatives had rejected. The President then demands Congress provide him with the money to execute his unlawful program. The Congress says no. The President then accuses Congress of shutting down the government for not funding his unlawful program. Congress surrenders, quits, gives up, and the President gets what he wants.

Have the people of the United States been served in that fashion? Has the Constitution of the United States been served? Has the Congress of the United States not acquiesced in its own diminishment, violating its duty to ensure that every dollar spent by the Government of the United States is spent on policies that are appropriate?

Well, is this to be the new normal? Congress must provide the President with the funds he wants for any project he dreams up, no matter how illegal or unconstitutional? Is the power of the purse now a historic concept never to be used again when it is needed most? There is no more basic application of congressional power than to establish where funds may or may not be spent. Indeed, that is the very definition of an appropriations bill. There could never be a more important time to exercise such a power than when free government, our republican heritage itself, is at stake.

We cannot let this Congress go down in the history books as the Congress that established a new precedent that we will fund any imperial decree that violates established American law.

And this is not a minor constitutional violation; it is an explosive violation. It threatens our very sovereignty, the extent of which exceeds anything I have ever seen in my time in the Senate. I cannot imagine and cannot recall one in the past—so blatant a violation. Essential to any sovereign nation is the enforcement of its borders, the application of uniform rules for exit and entry, and the delivery of consequences for any who violate those rules.

But the President has suspended those borders, erased those rules, and replaced consequences with rewards. People who have entered unlawfully, stayed here unlawfully, are being rewarded with work permits, Social Security benefits and Medicare benefits, ID cards, legal status. He has arrogated for himself the sole and absolute power to decide who comes to the United States. That is, in effect, what it is. He gets to decide unilaterally who can stay and live in the United States and who works in the United States.

At this very moment, he continues—despite a court order—to allow new illegal immigrants by the thousands to stream across the border, to violate their visas, and to wait for their amnesty too, which they expect will occur sometime in the future. Why not? Every officer and expert in the Border Patrol and USCIS has told us if this stands, it will encourage more illegal immigration in the future.

I cannot vote for any legislation that funds this illegal amnesty. There must be a line in the sand and a moment where people say: This is where it stops. That is why I will oppose the legislation if these amnesty restrictions are removed from the House bill. I will support the House bill, but I cannot support the bill if the restrictions are removed. I will urge my colleagues to do the same.

Look, the American people are right and just and good and decent people. They have asked of Congress, begged of Congress, pleaded with Congress for years for our laws to be enforced. They want us to have a lawful system of immigration that serves the national interests, one they can be proud of, one that people can rely on when they apply to come to the United States.

They have demanded—and Congress responded and has passed laws over the years to protect the jobs and the wages of the American people. They have elected lawmaker after lawmaker,

however, who has pledged to do this and make this system work, and to end the lawlessness.

But each time their will has been nullified. Each time their laws that have been passed have been ignored. Each time the special interests, the open-border billionaires, the global elites, get their way.

In the simplest of terms, here is where we stand now, truly: Six of our Democratic colleagues need to switch their votes and end the filibuster of the House bill. Six Senate Democrats are standing in the way of the interests of 300 million Americans. Six Senate Democrats are keeping from protecting American workers and American borders.

They are uniform, in lockstep, blocking the consideration of the House bill that funds Homeland Security but does not fund the unlawful actions of the President. So we will have to take this case to the American people and see whether it is indeed possible these Democrats are able to defy the hopes, dreams, and sacred rights of every law-abiding American citizen.

AWARDING A CONGRESSIONAL GOLD MEDAL TO THE FOOT SOLDIERS WHO PARTICIPATED IN BLOODY SUNDAY, TURNAROUND TUESDAY, OR THE FINAL SELMA TO MONTGOMERY VOTING RIGHTS MARCH IN MARCH OF 1965

Mr. SESSIONS. Mr. President, I am excited about an event today. I had the honor—Senator BOOKER was on the floor earlier today. He is a cosponsor with me. We celebrate today the passage of a gold medal bill.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 24, S. 527.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 527) to award a Congressional Gold Medal to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or the final Selma to Montgomery Voting Rights March in March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 527) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds the following:

(1) March 7, 2015, will mark 50 years since the brave Foot Soldiers of the Voting Rights Movement first attempted to march from Selma to Montgomery on ''Bloody Sunday'' in protest against the denial of their right to vote, and were brutally assaulted by Alabama state troopers.

(2) Beginning in 1964, members of the Student Nonviolent Coordinating Committee attempted to register African-Americans to vote throughout the state of Alabama.

(3) These efforts were designed to ensure that every American citizen would be able to exercise their constitutional right to vote and have their voices heard.

(4) By December of 1964, many of these efforts remained unsuccessful. Dr. Martin Luther King, Jr., working with leaders from the Student Nonviolent Coordinating Committee and the Southern Christian Leadership Conference, began to organize protests throughout Alabama.

(5) On March 7, 1965, over 500 voting rights marchers known as ''Foot Soldiers'' gathered on the Edmund Pettus Bridge in Selma, Alabama in peaceful protest of the denial of their most sacred and constitutionally protected right—the right to vote.

(6) Led by John Lewis of the Student Nonviolent Coordinating Committee and Rev. Hosea Williams of the Southern Christian Leadership Conference, these Foot Soldiers began the march towards the Alabama State Capitol in Montgomery, Alabama.

(7) As the Foot Soldiers crossed the Edmund Pettus Bridge, they were confronted by a wall of Alabama state troopers who brutally attacked and beat them.

(8) Americans across the country witnessed this tragic turn of events as news stations broadcasted the brutality on a day that would be later known as ''Bloody Sunday.''

(9) Two days later on Tuesday, March 9, 1965, nearly 2,500 Foot Soldiers led by Dr. Martin Luther King risked their lives once more and attempted a second peaceful march starting at the Edmund Pettus Bridge. This second attempted march was later known as ''Turnaround Tuesday.''

(10) Fearing for the safety of these Foot Soldiers who received no protection from federal or state authorities during this second march, Dr. King led the marchers to the base of the Edmund Pettus Bridge and stopped. Dr. King kneeled and offered a prayer of solidarity and walked back to the church.

(11) President Lyndon B. Johnson, inspired by the bravery and determination of these Foot Soldiers and the atrocities they endured, announced his plan for a voting rights bill aimed at securing the precious right to vote for all citizens during an address to Congress on March 15, 1965.

(12) On March 17, 1965, one week after ''Turnaround Tuesday'', U.S. District Judge Frank M. Johnson ruled the Foot Soldiers had a First Amendment right to petition the government through peaceful protest, and ordered federal agents to provide full protection to the Foot Soldiers during the Selma to Montgomery Voting Rights March.

(13) Judge Johnson's decision overturned Alabama Governor George Wallace's prohibition on the protest due to public safety concerns.

(14) On March 21, 1965, under the court order, the U.S. Army, the federalized Alabama National Guard, and countless federal agents and marshals escorted nearly 8,000 Foot Soldiers from the start of their heroic journey in Selma, Alabama to their safe arrival on the steps of the Alabama State Capitol Building on March 25, 1965.

(15) The extraordinary bravery and sacrifice these Foot Soldiers displayed in pursuit of a peaceful march from Selma to Montgomery brought national attention to the struggle for equal voting rights, and served as the catalyst for Congress to pass the Voting Rights Act of 1965, which President Johnson signed into law on August 6, 1965.

(16) To commemorate the 50th anniversary of the Voting Rights Movement and the passage of the Voting Rights Act of 1965, it is befitting that Congress bestow the highest civilian honor, the Congressional Gold Medal, in 2015, to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday or the final Selma to Montgomery Voting Rights March during March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or the final Selma to Montgomery Voting Rights March during March of 1965, which served as a catalyst for the Voting Rights Act of 1965.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal described in subsection (a), the medal shall be given to the Selma Interpretative Center in Selma, Alabama, where it shall be available for display or temporary loan to be displayed elsewhere, as appropriate.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

Mr. SESSIONS. Mr. President, this marks the 50th anniversary of the Voting Rights Act of 1965, and that historic event in Selma, AL, in March of 1965. So this bill, I believe, is a fitting honor that recognizes the courage and determination of the civil rights marches at Selma 50 years ago.

The Selma-to-Montgomery march was a pivotal event in the drive to achieve the right to vote for all Americans, a right which was being systematically denied in that area and other places in the country. This action was historic. It dealt a major blow to deliberate discrimination. It produced a positive and lasting change for Americans.

Those who stood tall for freedom on that fateful day deserve to be honored with the Congressional Gold Medal. It is a rare thing. We do not give it out often. But this is a very special occasion. I think these courageous individuals are greatly worthy of this high recognition from the Congress.

I would note that two Alabama Congresswomen, new, younger Members of the House of Representatives, MARTHA ROBY, a Republican, and TERRI SEWELL, a Democrat, introduced similar bills in the House of Representatives, which passed unanimously, 420 to 0. The Senate bill today that Senator BOOKER and I have moved out of the Senate banking committee, which my colleague from Alabama, Senator SHELBY, chairs—it moved out of that committee unanimously. It now has been passed through the Senate.

It was a very historic day. It marked an alteration in the history of America. It changed an unacceptable abuse of American rights, the right to vote, and it created a more positive world, country, and region. I grew up not too far from there. I was in high school or junior high school when that happened. I remember reading about it, thinking about it, but I do not think I fully understood the significance of it until time had gone by.

I think this is a very fitting honor. I am pleased it has passed today. I am pleased for those who will receive the honor.

I yield the floor.

Mr. MENENDEZ. Mr. President, I support S. 527, a bill to honor the foot soldiers of the historic civil rights march that led thousands from Selma to Montgomery in a peaceful protest for their right to vote.

I am proud to cosponsor this bill, which would award the Congressional Gold Medal to those who gave their blood, sweat, and tears in the name of ending unfathomable injustices in our country. In honor of the 50th anniversary of the march, this award will recognize those whose groundbreaking efforts acted as a catalyst for the Voting Rights Act and made our Nation a more free and equitable place.

Bloody Sunday, Turnaround Tuesday, and the final 54-mile march from Selma to the Alabama state capitol in Montgomery were defining moments in the never-ending struggle for equal treatment under the law. On Bloody Sunday, peaceful marchers at the Edmund Pettus Bridge by Selma were met by State troopers and locals, resulting in a brutal conflict. Seventeen members of the march were hospitalized, and shameful images of protesters being beaten with nightsticks focused national and worldwide attention on the event. Following Turnaround Tuesday, in which 2,500 marchers held a silent prayer at the same bridge, and a court battle to stop police interference with the march, a final march took place with over 25,000 people flooding the State capitol.

The Bloody Sunday, Turnaround Tuesday, and Montgomery marches created undeniable momentum for change, and the events left an indelible mark on our national consciousness. President Johnson presented the Voting Rights Act to Congress shortly after Turnaround Tuesday, and by August of the same year, the bill passed Congress.

This bill would provide the plainly warranted recognition to these brave men and women. It would provide a Congressional Gold Medal to be displayed at the Selma Interpretive Center near the Edmund Pettus Bridge, a fitting tribute to the Foot Soldiers who made that fateful march.

Our country was founded on the precept that the power of government is derived from the people it governs. The primary form of expressing opinions in our democracy is through voting. The marchers who risked everything were committed to ensuring our democracy was truly representative, leaving a lasting and positive effect on our Nation. I salute these Foot Soldiers today, and I urge the Senate to swiftly pass this important legislation.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business for such time as I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be permitted to use a visible example of the cold weather during my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, I am reminiscent, with the snow on the ground, of 5 years ago. The Presiding Officer was not here at that time. He does not have the advantage of knowing the story of what is behind this. The story that is behind this is that back when they started all the hysteria on global warming, there happened to be another snowstorm that was unprecedented. It set a record that year.

There is a charming family of six, I say to my friend in the chair, who built this. Their picture is here. That happens to be my daughter and her family of six. At that time it got a lot of attention. It actually got a lot of national attention.

In case we have forgotten, because we keep hearing that 2014 has been the warmest year on record, I ask the Chair: Do you know what this is? It is a snowball. That is just from outside here. So it is very cold out, very unseasonable. So, Mr. President, catch this.

We hear the perpetual headline that 2014 has been the warmest year on record. Now the script has flipped. I think it is important, since we hear it over and over and over again on the floor of this Senate. Some outlets are referring to the recent cold temperatures as the ''Siberian Express,'' as we can see with the snowball out there. This is today. This is reality.

Others are printing pictures of a frozen Niagara Falls. And 4,700 square miles of ice have formed on the Great Lakes in 1 night. That has never happened before.

Let's talk more about the warmest year claim. On January 16, NASA's Goddard Institute for Space Studies and the National Oceanic and Atmospheric Administration, NOAA, concluded that 2014 was the warmest year in modern record, which starts in 1880.

NASA relied on readings from over 3,000 measuring stations worldwide, and only found an increase of just two one-hundredths of a degree over the previous record. Now an important point that was left out of the NASA press release was that the margin of error, which on average is 0.1 degree Celsius, was several times greater than the amount of warming. So, in reality, it is so far within the margin of error that it is not really recordable. This discrepancy was questioned at a press conference, and NASA's GISS Director backtracked.

This is the Goddard Institute for Space Studies. He backtracked on the warmest year headline saying there was only a 38-percent chance that 2014 was the warmest year on the record. Another recent report issued by the Berkeley Earth surface temperature project, using data from more than 30,000 temperature stations, concluded that if 2014 was the warmest year on record, it was by less than 0.01 degrees Celsius—again, below the margin of error ultimately making it possible to conclude that 2014 was the warmest record on year.

Additional climate experts, including University of Oklahoma geophysicist David Deming, have stated that the warmest year on record statement is only as relevant as when the record actually began. Others state that record-setting conclusions issued in January require the use of incomplete data because the preponderance of the data arrives much later from underdeveloped and developing nations.

The media was quick to ditch the warmest year on record claim as cold weather has left most of the country experiencing record low temperatures.

Tuesday's Washington Post highlighted all of the longstanding records that were broken in the Northeast and Midwest.

My State is Oklahoma and that is not even included in this article. But we set 146 records—alltime records—in my State of Oklahoma just during that time.

According to the National Weather Service, 67 record lows were broken on Monday and Tuesday of this week.

Whether news cycles or climate cycles, variations in hot and cold are really nothing new. Recent climate change discussions like to focus on climate trends post-1880, but the reality is that climate change has been occurring since the beginning of time.

The chart behind me is very interesting because it shows two things that everyone agrees with. The first is that we had the medieval warm period. This

is a period of time starting about 1000 A.D. and going to about 1400 A.D. This is a major warming period that led into what they call the little ice age, which was about 1500 A.D. to about 1900 A.D.

The interesting thing is that many of us in this room remember that when they first started talking about global warming, a scientist named Michael Mann developed what they call the hockey stick theory, and that had a hockey stick showing that for a long period of time we had temperatures that were level, and then all of a sudden they started going up like the blade of a hockey stick.

The problem was they neglected to note that the two periods were, in reality, in his sketch of a hockey stick. So in his opinion then, as portrayed by the hockey stick, there was no medieval warm period or little ice age.

By the way, this Michael Mann is the same one who was featured as the main person who was guilty of violations that created this term called the climate change, which was characterized as the most outrageous. I don't have it in my notes, but one of the publications in England talked about the worst scientific disgrace in national history.

Time magazine had a chart, and this is interesting because people who look at the weather and get concerned about all the warming periods and the cold, to them the world is coming to an end. This one shows that in 1974 another ice age was coming. That is the actual cover of the magazine. So everyone is concerned that the world is coming to an end, and at the same time they were talking about the fact that there is going to be another ice age.

In the past 2000 years there was the medieval warm period followed immediately by the little ice age. These two climate events are widely recognized in scientific literature. No one has refuted these. These are incontrovertible.

In 2006 the National Academy of Sciences released its study ''Surface Temperature Reconstructions for the Last 2000 Years,'' and that acknowledged that there were relatively warm conditions during that period of time.

So that is history, and that is behind us.

While that is still up, I will go on and fast forward. That same magazine, Time magazine, had as its cover a short time after that this poor, typical, polar bear that is standing on the last piece of ice—and we are all going to die because global warming is coming.

This is something that has been happening over long periods of time. Every time it does, everyone tries to say that the world is coming to an end and that somehow man is so important and so powerful that he can change that.

In 1975 Newsweek published an article titled ''The Cooling World,'' which argued that global temperatures were falling and terrible consequences for food production were on the horizon—and all of that. Well, we know about that.

This highlights that the climate is changing, and it always has been changing.

In fact, our recent vote during the Keystone XL Pipeline debate showed that 97 of us in this Chamber—Democrats and Republicans—agreed that climate has always been changing. I made a little talk on the floor at that time and I said: You know, I think this is something on which we can all agree. If we look at archaeological diggings, history, the Scriptures, climate has always been in changing.

Despite a long list of unsubstantiated global warming claims, climate activists and environmental groups will cling to any extreme weather-related headline to their case for global warming and to instill the fear of global warming in the American people. People sometimes ask me why. Why do you suppose they are doing this, spending all this time?

They tried it through legislation. We defeated it. Now it is through regulations that would cost between $300 billion and $400 billion a year. Yet it wouldn't have any effect on what they perceive to be global warming. So that is the question. Why is it?

There is a scientist by the name of Richard Lindzen. Richard Lindzen is with MIT. Some of us have argued he is the most knowledgeable of all the climate scientists. He answered that question. He said: You know, regulating carbon is like regulating life. If you regulate carbon, it is a bureaucrat's dream, because regulating carbon regulates life. So it is a power struggle.

I think that is probably the best answer. I am not a scientist. I don't claim to be. But I quote scientists, and they have the answers to these questions.

TERRORISM

Now, President Obama is using a similar tactic in order to scare Americans into supporting his extreme climate change agenda. In a recent interview, President Obama agreed that the media overstates the dangers of terrorism while downplaying the risks of climate change. His Press Secretary, Josh Earnest, later reiterated that President Obama believes climate change affects far more Americans than terrorists.

Now, that is the first time we heard that. But wait until we hear later what the President himself and his Secretary of State said. According to the President, the biggest challenge we face is not the spread of Islamic extremist terrorism in Syria, Iraq, Egypt, Algeria, Libya, Tunisia, Afghanistan, Pakistan, Somalia, Yemen or Nigeria. The greatest threat that we face is not Russian aggression in NATO and the United States, as well as its invasion of Georgia and Ukraine. It is not the expansion of Iranian influence and sponsorship of terrorism throughout the Middle East or its pursuit of a nuclear weapons system to deliver it and to be able to hit the United States of America. The greatest threat is not North Korea's continued development of its nuclear weapons stockpile and the improving of their delivery systems to include the January 23 launch of a sea-launched ballistic missile that was called the KN–11. I think we are all aware of that. And the greatest threat is not the continued capture and killing of reporters, missionaries, businessmen, Christians, and other non-Muslims in what has clearly been a religious confrontation being pursued. The President's position is that global warming is our greatest threat—greater than all the things I just mentioned. It is underscored by the fact that he won't even publicly state that the 21 Egyptians executed by ISIL in Libya were Christians. He won't recognize that, and he won't recognize that it has anything to do with radical Islam.

He goes out of his way to downplay the actions and dangers of ISIS even though the group continues to terrorize the world. Just this past weekend, ISIS abducted over 70 Syrian Christians, including women and children from villages in eastern Syria. To my knowledge, we don't know what they have done with them yet. But there are 70 of them, and the previous 21 were killed because of their Christianity.

According to the President, our biggest threat is not the continued threats made by extremists against the United States and its citizens. It is not the successful attacks carried out in the United States and other places such as New York, Boston, Fort Hood or potential attacks of lone wolves or sleeper cells against soft targets such as the Mall of America, which is the most recent subject of an ISIL threat. Even as these atrocities are taking place, President Obama is telling the world that climate change is a greater threat to our Nation than terrorists. This is just another illustration that this President and his administration are detached from the realities that we are facing today and into the future.

His repeated failure to understand the real threat to our national security and his inability to develop a coherent national security strategy has put this Nation at a level of risk that has been unknown for decades.

His failure of leadership and his gutting of our military have weakened our ability to influence and respond to crises. This all comes at a tremendous cost to our national security.

The President has accused the media of overstating the problem, heightening the fears of the population. As he downplays the threats, we see photos of young children standing in military-like formation, being brainwashed into ISIS or ISIL extremism. We shouldn't be surprised. It is a natural outgrowth of the President's failed leadership.

In 2012 and 2013 President Obama spoke of helping Libya and Yemen fight terrorism. Yet as he addressed

this Nation, both countries spiraled toward chaos, creating terrorist safe havens. Just days after his speech, Yemen's Prime Minister and his Cabinet resigned amidst a coup by the Iranian-backed Houthi rebels.

The administration aided instability in Afghanistan by releasing the most senior leaders of the Taliban, the Taliban dream team. We all remember that.

We had just passed a law saying that the President cannot release anyone from Gitmo—from Guantanamo Bay—without giving 30 days' notice to Congress. Yet he totally ignored that and let these people go. Some of the terrorists out of Gitmo—I carry this card with me because it is really not believable. Of the five that he turned loose, one was named Mohammed Fazil, and the Taliban commander said that Mohammed Fazil's release ''is like pouring 10,000 Taliban fighters into the battle on the side of jihad. Now the Taliban have the right lion to lead them in the final moment before victory against Afghanistan.''

Now, I don't know where these are. I suggest that all five have returned to the battle. The record is that of those who have been released, some 29 percent have gone back to the battle.

So that is taking place. Mullah Omar, the Taliban's leader, called the release a great victory.

This action allowed these men to rejoin the fight against our service men and women. This is a big deal.

The President quickly withdrew from Iraq, leaving a vacuum for ISIS to fill, which is now requiring our military to return. The President wants to repeat our errors with a speedy withdrawal from Afghanistan, and that is despite the advice of his commanders on the ground and the request by Afghanistan's newest President, Ashraf Ghani, to reexamine our withdrawal plan.

He has de-Reaganized Europe by drastically cutting our forces, acquiescing to Russian influences by cutting our ballistic missile defense site in Poland and our radar in the Czech Republic. I remember when that happened. I was so concerned about that because we put the radar site and the ballistic missile defense site in Poland and the Czech Republic because—that was for the protection of Western Europe and Eastern United States because we don't have the capacity to offer protection the American people should expect. But the President did that anyway. He failed to provide assistance—apart from the MREs and blankets. Instead of sending weapons to the Ukrainians, he sends blankets.

We had Poroshenko, the President of Ukraine, come in and give a speech to a joint session of Congress. In that speech he said we need to have some defense against what Putin and the Russians are doing with the separatists in his country of Ukraine.

I happened to be over there. I was over there during the parliamentary elections. Not many people in America realize that in the Ukraine—our very good friends in Ukraine had their parliamentary elections in October, and President Poroshenko looked me in the eyes and said very proudly how good the outcome was. This was the first time in 96 years that the Ukraine had parliamentary elections and didn't elect one Communist to a seat in the Parliament. That was the first time that had ever happened. Yet the President said in his State of the Union message:

> We're upholding the principle that bigger nations can't bully the small—by opposing Russian aggression, supporting Ukraine's democracy, and reassuring our NATO allies.

That is what he said, standing in the House Chamber, in his State of the Union speech. Yet, under the President's failed leadership, we have seen two ceasefire failures in the Ukraine, thousands of civilians displaced, and approximately 5,000 people killed.

America's assistance is vital to denying Putin's attempts to destabilize the region. Yet it is not happening. It is not happening under the Obama administration. This administration is overwhelmed by world events and blind to the fact that terrorists are at war with America and our way of life. We now live in a world where our allies don't trust us and our enemies don't fear us. When will the President and his administration take the steps required to minimize the risk to Americans and our allies by providing this country with a national security strategy—one that addresses today's global security environment, grows back our military and its readiness, and deals with our enemies from a position of strength, not weakness and not appeasement?

These are the biggest threats facing our Nation today. It is decidedly not global warming. The threat of war, terrorism, and extremism has plagued the Earth for centuries. The United States is not immune. We must take all threats seriously and take every responsible action to secure our freedom. Threats to our national security are always the most serious threats we face. Issues such as global warming or global cooling 40 years ago are simply not what we need to be worrying about in the same breath when we are talking about national defense.

I say this because I have a deep concern. I was the ranking member on the Senate Armed Services Committee, and I am in a position to see what is happening around the world. The threats we are facing are unprecedented.

Just yesterday we had a hearing, and we had James Clapper, the Director of National Intelligence. This is one of the things he has been quoted as saying:

> Looking back over my now more than half a century in intelligence, I've not experienced a time when we've been beset by more crises and threats around the globe.

In the hearing we held yesterday, the Director said:

> When the final accounting is done, 2014 will have been the most lethal year for global terrorism in the 45 years such data has been compiled.

So this goes on and on. This is what the military says. This is the threat we face. Everyone understands it except the White House.

On February 25, just yesterday, Secretary of State Kerry said—and keep in mind he said this with all these threats we are facing:

> Today is actually, despite ISIL, despite the visible killings that you see and how horrific they are, we are actually living in a period of less daily threat to Americans and to people in the world than normally—less deaths, less violent deaths today than through the last century.

We all know better than that. We know how threatened we are. Everyone knows it except the White House, and they are going to have to wake up to save our Nation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that I be allowed to speak for 3 minutes notwithstanding the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LOUIS STOKES

Mr. BROWN. Mr. President, at a quarter after, I am leading a group of seven or eight Senators to talk about the trade promotion authority and the transpacific partnership, but I would like to take this opportunity while the floor is empty—and I thank my Republican colleagues—to talk about Ohio civil rights pioneer Congressman Louis Stokes. I have known him for 35 years. We celebrated his 90th birthday on Monday, and I had the opportunity to speak to him.

Lou Stokes is a proud son of Cleveland, the city in which I live. He was born in that city nine decades ago and grew up in one of the first Federal housing projects in the country.

Lou rose to prominence as a lawyer and a legislator. His father worked in a laundromat and his mother cleaned houses. Lou himself shined shoes to earn extra money. He served in the Army during World War II and went to college at night on the GI bill. He is the American success story.

Lou was stationed in the Deep South during segregation. He was appalled by the discrimination he witnessed, even for those wearing the uniform and serving our country. That experience compelled him to dedicate his life to fighting injustice.

He handled matters big and small in his legal practice. He argued the landmark case of Terry v. Ohio before the U.S. Supreme Court. The Court's ruling

in Terry addressed the police stop-and-frisk policy and defined what constitutes a reasonable search and seizure.

As the first African American to represent Ohio in the U.S. Congress and the first African American to serve on the Committee on Appropriations, his mere presence was groundbreaking. But Lou never rested on his laurels. While serving as a Congressman for 15 terms, he was a fierce advocate for the city he loves and for civil rights. Lou didn't use his success to seek glory for himself; he used his powerful position to expand opportunities for men and women, for people of all colors, and young people and old people.

After retiring from Congress, he didn't retire; he returned home to Cleveland and played a key role in Cleveland's civic life. His role at Squire Sanders was instrumental in the firm's growth. Working alongside his longtime friend and my friend John Lewis—the lawyer John Lewis in Cleveland, not Congressman JOHN LEWIS in Washington—he made a difference in so many ways.

Lou served on the Ohio Task Force on Community-Police Relations. He is known always to fight for his neighborhood, the projects where he and his brother Carl, who was the first Black mayor of a major American city, grew up. Carl was elected as mayor right before Lou was elected to Congress. It has been their labor of love to work to improve schools and opportunities in Cleveland.

The Cleveland VA center is named after Lou Stokes, as are buildings throughout the Nation. They illustrate his hard work and his dedication. It is fitting that as we celebrate his milestone birthday this week, the final week of Black History Month, we renew our commitment to the cause of Lou Stokes's 90 years.

Lou means so much to me personally, he means so much to Cleveland, and he means so much to our country. I know the Presiding Officer, Senator INHOFE, got to serve with him in the House, as I did, and it was an honor to do that and a privilege to call Lou Stokes my friend.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, before we get underway with this colloquy on trade, I wish to respond briefly to what I understand was a presentation made by one of the Republican Senators suggesting that the continued existence of snow disproves climate change.

First, that is not the only measure. We can take a look at sea-level rise, which we can measure from Fort Pulaski in Georgia up to Alaska where LISA MURKOWSKI has acknowledged that climate change is causing sea-level rise, eroding her native villages, to the sea-level rise in my hometown State at the naval station. We can look at the pH changes in the ocean which we actually measure. It is not complicated. Kids measure the pH in their aquarium all the time. We can measure ocean temperature, which is absolutely clear. It involves something called a thermometer. It really isn't all that complicated.

And if we want to understand why the existence of snow might actually be consistent with climate change, I urge people to get their personal device here—their iPad, whatever it is they have—and load up the EarthNow! app. The EarthNow! app is run by a group called NASA. NASA is pretty capable. They are driving a rover around on Mars right now. These are folks who know a little bit about what they are talking about. They map the temperature of the planet, and we can see the cold arctic air drawn down to New England, drawn down to our area, and it is in large part because the ocean is warming offshore that we have this snow.

So not only does the continued existence of snow not disprove global warming—if you actually know what is going on and take the least bit of effort to understand it—you would see it is completely consistent with global warming as it is understood by scientists such as those from NASA.

I will have more later, but let's get on with this other business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TRADE PROMOTION AUTHORITY AND THE TRANS-PACIFIC PARTNERSHIP

Mr. BROWN. Mr. President, I know there is a UC order for seven or eight Senators. Senators CASEY, MERKLEY, WHITEHOUSE, MARKEY, WARREN, BALDWIN, and SANDERS we believe will be here for the next 45 minutes under an agreed-to order to talk about our concerns with trade promotion authority and the Trans-Pacific Partnership. I will lead off, then Senator CASEY will speak, and then Senators MERKLEY and WHITEHOUSE.

We know a number of things. We know that American workers are the most competitive and productive in the world. We also know that far too many have been left behind because of wrong-headed trade deals.

In the 20th century, we built the strongest economy in the history of the world by building the strongest middle class in the history of the world. We invested in the health and safety of our workforce, guaranteed workers the right to bargain for fairer pay and reasonable hours. It was a fight to do so and more remains to be done. We expanded opportunity for women and people of color, which society had never done, to realize their full potential in the labor force.

Americans up and down the income spectrum reaped the awards. Workers got more productive, wages went up, profits were good, communities were strong. We led the world with a booming economy fueled by a skilled and powered workforce.

The talent and tenacity of American workers has not changed, but our leaders'—including in this body—commitment to those workers, frankly, and, unfortunately, has.

Nowhere has that abandonment been more clear than the free trade agreements we now approve with little oversight and minimal debate. These binding trade agreements affect all American workers. They cut into small business and industry, and they cut to the heart of the values we hold dear—or say we hold dear—as a sovereign democracy. Too often they are pushed through this body so quickly that the corporations pushing them hope we won't notice these agreements are loaded with corporate handouts that weaken our Nation's ability to chart its own course.

The last thing we need is another NAFTA. We know what the North American Free Trade Agreement did to us 20 years ago when it passed. We know the damage it did to workers in Philadelphia. We know the damage it did to small companies in Oregon. We know what it did to communities in Rhode Island. And I know up close what it has done to far too many communities—from Troy to Piqua to Toledo to Dayton—in my State.

We always talk about American exceptionalism. We give lip service to American exceptionalism. Our Nation is exceptional. We see these same people who always talk about American exceptionalism—and criticize anyone who doesn't talk about it—pushing trade agreements that undermine American laws and bypass our legal system. For what end? To benefit big companies that can't get what they want through our democratic system.

I urge my colleagues and anyone else to read the article today written by Senator WARREN of Massachusetts about something called ''investor-state dispute settlement.'' This is what I want to talk about for a moment.

Take the issue of tobacco. Tobacco use is the world's leading cause of preventable death. Tobacco companies have been one of the most successful group of companies of any in American history. More trade deals give Big Tobacco a new tool to peddle its poison.

How does that work? Big Tobacco turns to trade deals as the most fertile avenue for defeating international public health efforts. Big Tobacco knows it can't win in this body, even with a conservative majority that too often does the bidding of Wall Street and large companies. Senator MERKLEY and Senator BLUMENTHAL have helped to lead

this charge to make our tobacco law strong.

So what do tobacco companies do if they can't win in a democratic body here? They use a trade provision called investor-state dispute settlement. In the case of Big Tobacco, it uses ISDS to challenge public health measures around the globe. Let me give an example.

Big Tobacco and its supporters are suing Australia for its Tobacco Plain Packaging Act 2011. They are challenging under Australian-Hong Kong bilateral investment. They have good lawyers. They know how to do darned near anything to use these laws—that they helped write under trade policy—to benefit them and sell more cigarettes and poison our young people in far too many cases.

The Tobacco Plain Packaging Act in Australia—passed by a democratically elected legislative body, signed onto by the executive branch in Australia—simply says that tobacco companies can't use their market-tested logos; they have to use plain black-and-white packaging. Also on the tobacco packet they put pictures of diseased lungs or pictures of people who have been sick from tobacco, so when people pick that packet up, they get the message.

Big Tobacco sued Australia under the World Trade Organization despite the fact that the Australian courts had already ruled in favor of the country of the public health law.

Tobacco companies have launched similar cases against Uruguay over its proposed graphic warnings on cigarette packages. Think about this: A big tobacco company is threatening to sue a small, relatively poor country such as Uruguay, saying: If you pass a public health law, we are going to sue you in court—not in one of your courts, but in some international court made up of mostly trade lawyers.

So what does a country the size of Uruguay often do? They give up. They say: We can't afford to defend ourselves in an expensive court proceeding. Fortunately for Uruguay, Michael Bloomberg—one of the richest men in the world—stepped in and helped them fight back.

Togo—one of the ten poorest countries in the world, West Africa—simply gave up when Philip Morris sued them. The people of Togo wanted a law to protect their children from the big marketing of tobacco companies. Philip Morris came in, threatened to sue them, and the Government of Togo backed off. What is good about that? It is appalling. It is antidemocratic. It has been left to a comedy show to expose the practice of Big Tobacco. Watch John Oliver talk about this on HBO.

Trade policy should ensure a level playing field for all companies competing in a global economy, not serve as a tool for the richest corporation to overturn laws enacted by sovereign governments—particularly not when, in this country, we are facing stagnating wages, increased middle-class anxiety and insecurity, and rising inequality at home.

So we are going to pass a trade agreement as CEOs' pay reaches record highs, as average wages stagnate, as profits go up, as unionization goes down, as wages fall as a share of GDP.

Think about this. Productivity has increased in our country 85 percent in the past 30 years. It used to be, as productivity went like that, wages went like that. But now, productivity goes up 85 percent, wages went up 6 percent. The minimum wage in the United States today has 30-percent less buying power than it had 35 years ago. That is why this trade agreement is a bad idea. We know what has happened to manufacturing. We lost 5 million manufacturing jobs between 2000 and 2010.

Just look at the impact of trade on U.S. manufacturing for more than 16 million jobs. It dropped here. We had the auto rescue here, which meant a little bit of an increase, but it increases only back to 12 million manufacturing jobs.

We know bad trade agreements, bad policies on globalization, bad policies on taxes, mean lost jobs—lost manufacturing jobs. That is the ticket to the middle class.

Ever since NAFTA in 1993, taking effect in 1994, we have seen the acceleration of that decline in manufacturing jobs. It is bad for our communities, it is bad for our families, it is bad for our workers, it is bad for the States of Pennsylvania and Oregon and Ohio and Rhode Island, and it is bad for our country.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the same topic Senator BROWN just spoke to. I appreciate what my colleague from Ohio brought to this Senate floor today when talking about trade. I especially commend him for not just his advocacy and his passion for standing up for workers, but for the persuasive case he makes against some of our trade policies—not just now but over time.

We stand now poised to debate a set of issues which we haven't debated all that much in the 8 years I have been in the Senate—in this case first trade promotion authority, and then of course the Trans-Pacific Partnership.

The people I represent in Pennsylvania know what is at stake here. Each of us, as American people, will have the chance to review the details of these proposals. But based upon past experience with trade agreements in our lifetime, and especially in the last 25 years, that past experience causes me grave concerns about what is in store, first and foremost for our workers, which of course means our economy. Time and again Pennsylvania workers and Pennsylvania businesses of all sizes have ended up with the short end of the stick on trade deals. The question they ask now is, what is in it for them? What is in it for workers? What is in it for companies across Pennsylvania and across the country? And, therefore, what is in it for all of us when it comes to our economic bottom line?

Take the free trade agreement with South Korea just as a recent example. That was passed in 2011. I didn't support it. But here is what we were told before that. In December of 2010, the administration said the agreement would support 70,000 additional American jobs, and it would increase American exports by $10 billion to $11 billion.

During the first 2 years that the agreement took effect, exports actually fell by $3.1 billion and imports grew by $5.6 billion, contributing to the loss of thousands of jobs. So that is one agreement, one example.

Let's take the impact on a particular industry, the steel industry. By any measure, any review of World War II would indicate very clearly that the American steel industry and steelworkers played a substantial role in our ability to win World War II, to prevail in the most difficult of conflicts. What has happened since then? Well, we know that, for example, import surges from South Korea caused real damage to the steel industry in recent years, which has led directly to job losses in places such as Pennsylvania, for example.

So workers want to know where the benefit is that is promised to them. Over and over again we hear these assertions: ''If we pass this agreement, this will be the impact on exports and imports'' and ''If we pass this agreement, this will be the net benefit to job creation and therefore to workers.'' Too often the result is otherwise.

If you look at the numbers—if you look at the agreement, the industry, and then look at the numbers, in the United States we had a $66.5 billion deficit with free trade agreement partners in 2013. Our trade balance with our largest free trade agreement partners—Canada, Mexico, and Korea—is decidedly negative, not positive. So how is this time going to be different?

I am concerned and a lot of Americans are concerned that past experience suggests broadly negative impacts on jobs, especially—as Senator BROWN made reference to by way of the chart and in other ways—especially as it relates to manufacturing jobs, the ones on which you can support a family, the jobs that lead to the kind of innovation that allows us to be one step ahead of the world.

The Economic Policy Institute, for example, estimates that 26,300 jobs were lost due to the trade deficit with Mexico between 1994 and 2011 in the aftermath of NAFTA, as Senator BROWN referred to, and 122,600 jobs were lost to China in the 12 years since China joined the World Trade Organization. Between these two countries alone, the average impact on Pennsylvania was some 148,900 jobs lost in Pennsylvania. So we have lost almost 150,000 jobs in Pennsylvania directly attributable to two factors: the impact

of China joining the World Trade Organization and the impact of the trade deficit with Mexico.

When we look at the big picture, we have two possible areas of concern with the so-called TPP—the Trans-Pacific Partnership—and by proxy the trade promotion authority as a part of that. There are labor and human rights concerns as well as currency manipulation.

Members of Congress and labor groups across the country have expressed concerns about the so-called TPP and the countries we are negotiating with, in particular Malaysia, Vietnam, Brunei, and Mexico. Vietnam, as an example, does not offer the establishment of independent labor unions and has opposed the inclusion of any provision that would change this aspect of domestic law. The State Department has noted that basic labor freedoms are often restricted in both Mexico and Malaysia. Brunei has recently implemented a harsh form of sharia law that violates basic human rights standards.

How about currency manipulation? American manufacturers feel the pain from undervalued foreign currencies all the time, and they time and again have demanded action from both parties and both Houses of Congress. Currency manipulation concerns are urgent not just because of Japan's policies and the potential future inclusion of China in TPP down the road but also because virtually every negotiating partner has a currency that is undervalued relative to the U.S. dollar—every partner in the proposed TPP.

As of January of this year, according to the Economist, 10 of the 11 negotiating partners of the United States had undervalued currency. Seven of those countries, including Japan, had currencies that were at least 25 percent undervalued relative to the U.S. dollar.

For far too long this administration has allowed foreign countries to stack the deck against U.S. workers when it comes to currency policies by manipulating their currencies. We have a chance in the TPP negotiations to do something about this. All of us believe our workers could out-compete any workers in the world if they were given the chance, if they were given basic fairness and a level playing field.

Pennsylvanians want Congress and the administration to focus on policies that lead to both good jobs and good wages. So let's give our workers the kind of support we gave past generations. Give our workers a level playing field so that they can out-compete and therefore out-produce any workers in the world. I am afraid these agreements are not a step in that direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Thank you, Mr. President.

I appreciate the points that have been made by my colleagues from Ohio and Pennsylvania and the remarks yet to be made by my colleague from Rhode Island.

We are here on the floor together to raise fundamental issues that should be part of the discussion about a proposed trade deal or a fast track to a trade deal.

I love the concept of trade, the idea that our particular economy, based on our natural resources and based on our skills, can do certain things very well, and we would like to be able to sell those products to the world. Other nations do other things very well, and we can benefit from their expertise and their products. That is a win-win on a level playing field between nations that have roughly the same structure of environmental laws, roughly the same structure of labor laws, and roughly the same level of wages. That is a win-win for nations involved in agreements.

Indeed, our trade agreements after World War II were very much along those lines as we expanded to the economies of Europe. We saw substantial prosperity that affected people throughout our economy.

My parents couldn't believe the difference between their experience as children and their experience during the 1950s and 1960s as they started to raise children in terms of going from extraordinarily humble means—lack of electricity, running water, insulation, and all the things that became a part of the basic housing structure in post-World War II when they were raising their children. That prosperity came from a nation producing things and sharing the wealth throughout its economy. My father was a working man, a blue-collar mechanic. He brought those mechanical skills to the mill and became a millwright. He loved that job keeping the machinery in the mill running and loved other jobs. He was able to live the American dream.

Our recent trade deals have created something quite different. They have been based on an unequal relationship. They have been based on a relationship between our Nation with strong environmental and labor laws and good wages and high enforcement and countries with the exact opposite—such as China, for example. Indeed, the result in the period since NAFTA—and my colleagues spoke to it, but let me reemphasize it—there has been a loss of 50,000 factories, a loss of 5 million manufacturing jobs. That is logical. If you are a manufacturing company making products, you will move that manufacturing to the places where it is cheapest to make them.

This is how the vision works out. There is a conversation about reducing barriers, and companies say: Look at all the additional products we can sell to that emerging economy in China. We can make a lot more in the United States and sell to China.

That is stage one.

Stage two: Hey, now we can move our manufacturing overseas and produce things at a much lower price and not only sell them to the foreign nation but also sell them back to the customers in the United States.

That is exactly what we have seen, and that is why we have lost these 5 million jobs.

So the initial publicity campaign is all about creating jobs through increasing American manufacturing, but the reality in an unequal relationship is the opposite.

Let's make sure we create a standard for the consideration of future trade deals, a standard that will evaluate whether this deal will create good-paying jobs here in America, will expand prosperity to the middle class in America or will do the opposite. This is the standard we should apply. I would like to evaluate the provisions of the proposed deal in that light, but I can't because the negotiations are secret. The draft text is secret. We need to demand that there not be secrecy about something as important as creating jobs or destroying jobs in America—my standard for evaluating what is to come.

Let's talk for a minute about these eroding promises of enforcement. A couple of years ago a group of 10 U.S. Senators took a trip to China to meet with the Ambassador. We asked how the Ambassador felt about enforcement against China and their currency manipulation. He basically said: Here is the deal. We have broad strategic concerns that involve China, and we don't want to put ripples in the water.

So can you really have a level playing field in a situation where you are not willing to enforce even the provisions that are on the books? Can you really have a fair deal for America?

During the conversations a couple years ago, I proposed legislation that would require China to actually honor what it was responsible for doing under the WTO. Under the WTO, it was to notify Americans about all the subsidies it provided for items of export, deductions and credits. But China had not honored that responsibility. So I proposed that we exercise another part of WTO, which was counter-notifications by our Trade Representative. Within 2 weeks of putting this idea forward, guess what. Our Trade Representative put forward a list of 200 subsidies through the counter-notification process.

Looking at those notifications carefully revealed a vast strategy in renewable energy to subsidize exports—not allowed under the WTO; to subsidize paper—not allowed to subsidize exports of paper under the WTO. The result is that paper plants are going out of business in the United States of America. The Blue Heron plant most recently has gone out of business on the Willamette River at a place where paper has been made for a very long period of time. In fact, the energy from the water wheel that was first there provided some of the first electricity in America. Longtime industrial production, but those jobs are gone. So that is a real concern.

My colleague mentioned the interstate dispute settlement and the fact that it gives a foreign investor rights that a domestic investor does not have. It puts constraints on consumer protections that can be overrun—consumer protections done by a State can be overrun by an investor from a foreign nation.

For example, you have a bill in America to stop producing toxic flame retardants and putting them into our carpet. Well, the foreign investor says: We built a plant to produce that chemical. Sorry, you can't have that consumer protection even though the result would be a lot more cancer for American citizens. That is an example of the concerns about handing over the sovereignty of our Nation, of our consumer law, our environmental law, to an independent board that operates outside of our constitutional framework. That is a legitimate concern which needs to be addressed in this conversation.

So on issues of enforcement and issues of secrecy, issues of whether we are creating jobs or destroying jobs, I encourage Americans to become as familiar as possible with the provisions that have been leaked about the Trans-Pacific Partnership and to think carefully and give concerns to us here in Congress that we will work to address. When we have the legitimate text before us, then we can engage in a more detailed debate. But right now we need to push to end this secrecy on an issue that is so important to the future prosperity of our Nation and of our families.

Thank you, Mr. President. It is my pleasure to yield the floor in anticipation of remarks from my colleague.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the distinguished Senator from Oregon.

I wish to start by sharing the experience I had when I first started running for the Senate and asking people around Rhode Island to give me the chance to represent them here.

One unforgettable day was when I was walking along a factory floor and, as I was walking along, I looked down and I noticed there were holes in the concrete pad of the factory floor, and I asked: Why are the holes there?

They explained: Oh, well, we used to have manufacturing machinery here. Those are the bolt holes, and we unbolted the machinery and shipped it overseas to a Central American country where the same product is made for the same buyers on the same machine, but it is made by foreign workers.

That is the memory I have when I think about these trade agreements, and it is not just that one machine that went overseas. Rhode Island, not a big State, has lost more than 50,000 good-paying manufacturing jobs since 1990. Our State has been on the losing end of these trade deals.

People say they are going to enforce the environmental and human rights and labor and safety requirements of these agreements. I have not seen it. I am at the stage where I don't believe it. You will have to prove it to me. You will have to establish a record of enforcing these things before I will believe it. I have been told that for too long. I don't believe the enforcement any longer.

I have to say I don't like the process very much either. It is secret. We are kept out of it. Who is in it are a lot of big corporations, and they are up to, I think, no good in a lot of these deals. Look at these private deals in private forums where they can litigate against a government. They secure that right through these treaty agreements. It is outrageous.

First of all, a lot of it is done for the sake of pollution. It is the big folks, such as Chevron, ExxonMobil, Dow Chemical, and Cargill, that brought nearly 600 disputes, pursuing billions of dollars in damages against governments.

A former member of the WTO's appellate body said in 2005 the WTO agreements ''allow Member Nations to challenge almost any measure to reduce greenhouse gas emissions enacted by any other Member.'' So the war on the environment continues through this mechanism.

In March 2013, more than one-third of the disputes pending before the World Bank's investment dispute settlement tribunal were related to oil, mining, or gas. Guess what they want. The public health around the world is suffering because of this.

In Africa, the tobacco industry has brought these types of claims against the Governments of Gabon, Namibia, Togo, and Uganda. They probably add up to about $100 billion in total GDP—all 4 countries—which is probably about a quarter of the revenues of Big Tobacco worldwide. So this is a question of pure, raw economic power by massive corporate interests being used to make governments knuckle under on public health issues such as tobacco. That is just wrong. And it can displace the regular governing systems of courts.

Chevron was asked to clean up contamination it left behind. It lost in the courts in Ecuador, it lost in the courts in America, and so it went and got a third bite at the apple in front of three private lawyers in one of these forums.

Where do you think the motivation is of private lawyers? Who are their clients going to be next? Another government? I don't think so. It will be the big corporate companies.

After many States in the United States created a ban on something called MMT, a gasoline additive, as a probable carcinogen, U.S. Ethyl Corporation filed a NAFTA investor-state case against Canada which then reversed its national ban on the potentially carcinogenic chemical.

They pick on themselves as well. Under NAFTA provisions, a Canadian company sued the Quebec government over a decision to put a moratorium on fracking. I guess Quebec can't make a decision about fracking any longer because some company can sue it under these agreements which involve private lawyers and were cooked up in the dark in these trade agreements. It is preposterous.

Mr. BROWN. Think about what Senator WHITEHOUSE just said. A U.S. company that made an additive to gasoline filed suit against a public health law that the Canadian legislative body passed because they believed in clean air, and under NAFTA that company in the United States sued the Canadians. The Canadian taxpayers had to pay the company and repeal their public health law.

I thought this was a democracy. Think about that multiplied by how many times—about what Senator WARREN talked about her in piece in the Washington Post today.

Mr. WHITEHOUSE. How long is it until they sue the State of Louisiana or the State of Rhode Island or the State of Massachussetts or the State of Ohio? It is up for grabs. This is just a private remedy.

Since I am on Senator WARREN's subject, and since her piece in the Washington Post is something we have all read today, I yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, the United States is in the final stages of negotiating the Trans-Pacific Partnership, a massive free-trade agreement with Mexico, Canada, Japan, Singapore, and seven other countries.

I come to the floor today to ask a fundamental question: Who will benefit from the TPP? American workers, consumers, small businesses, taxpayers, or the biggest national corporations in the world?

One strong hint is buried down in the fine print of the closely guarded draft. The provision, an increasingly common feature of international trade agreements, is called investor-state dispute settlement, or ISDS. The name may sound mild, but this provision fundamentally tilts the playing field further in favor of big multinational corporations. Worse yet, it undermines U.S. sovereignty.

ISDS allows foreign companies to challenge American laws and potentially pick up huge payouts from taxpayers without ever stepping foot in an American court.

Here is how it works. Imagine that the United States bans a toxic chemical that is often added to gasoline. We ban it because we believe it is dangerous for people's health or harmful to the environment. If a foreign company that makes this toxic chemical wants to sell it in the United States, it would normally have to challenge that in a U.S. court. But with ISDS, the company could skip the U.S. court and go before an international panel of arbitrators. If the company wins, the ruling cannot be challenged in U.S.

courts, and the arbitration panel could require the American taxpayers to cough up millions, even billions, of dollars in damages.

ISDS has the power to impose gigantic fines, but it doesn't have independent judges. Instead, highly paid corporate lawyers go back and forth between representing corporations one day and sitting in judgment of corporations the next day.

Now I don't know, maybe that makes sense in an arbitration between two corporations, but not in cases between corporations and governments. We should have real doubts about how likely it is that a lawyer looking to attract high-paying corporate clients will rule against those corporations when it is his or her turn to sit in the judge's seat.

It is also a real problem that only international investors—only international investors—get to use these courts, investors that are, by and large, large corporations.

If a Vietnamese company with American operations wants to challenge an increase in the U.S. minimum wage, it can use ISDS, but if an American labor union believes the Vietnamese companies are paying slave labor wages in violation of trade commitments, the union has to try to wind itself through the Vietnamese courts. Good luck with that.

These rigged pseudocourts were created after World War II because investors worried about putting money into developing countries where the legal systems were not as dependable. They were concerned that a corporation might build a plant today only to watch a dictator confiscate it tomorrow. ISDS was born to encourage foreign investment in countries with weak legal systems.

Now, look, I don't know if these justifications made sense back then, but they sure don't make sense now. Countries in the TPP are hardly emerging economies with weak legal systems. Australia and Japan have well-developed and well-respected legal systems, and multinational corporations navigate those legal systems every single day, but ISDS would preempt their courts too. And to the extent there are countries that are riskier politically, market competition can solve that problem.

Countries that respect property rights and the rule of law, such as the United States, should be more competitive. If a company wants to invest in a country with a weak legal system, then it should buy political risk insurance, which is available.

The use of ISDS is on the rise. From 1959 to 2002, there were fewer than 100 ISDS claims worldwide, but by 2012 alone, there were 58 cases. That was in 1 year.

Here are some examples of recent cases under various treaties with ISDS provisions:

A French company sued Egypt because Egypt raised its minimum wage.

A Swedish company sued Germany because Germany decided to phase out nuclear power after the Fukushima disaster.

A Dutch company sued the Czech Republic because the Czech Republic didn't bail out a bank the Dutch company partially owned.

American corporations are getting in on the action too. Philip Morris is trying to use ISDS to stop Uruguay from implementing new tobacco regulations aimed at cutting domestic smoking rates.

ISDS advocates point out that so far this process has not hurt the United States. Our negotiators, who refuse to make the text of this trade agreement public, claim it will include a bigger, better version of ISDS that will protect our ability to regulate in the public interest.

But with ISDS cases exploding in the last several years and more and more multinational corporations headquartered abroad, it is only a matter of time before such a challenge does serious damage here. Letting a panel of arbitrators replace the U.S. legal system with a complex and unnecessary alternative on the assumption that nothing could possibly go wrong seems like a really bad idea.

This is not a partisan issue. I don't often agree with the conservative Cato Institute, and I suspect they don't often agree with me, but this morning the head of Cato's trade policy program said that ISDS ''raises serious questions about democratic accountability, sovereignty, checks and balances, and the separation of power.'' He went on to say that these concerns about ISDS are ''one[s] that libertarians and other free market advocates should share.'' I think that is right.

Conservatives who believe in American sovereignty are outraged that ISDS shifts power from American courts as envisioned by our Constitution to unaccountable international tribunals. Libertarians are offended that ISDS effectively offers a free taxpayer subsidy to countries with weaker legal systems, and progressives should oppose ISDS because it allows big multinationals to weaken labor and environmental rules.

Giving foreign corporations special rights to challenge our laws outside of our legal system is a bad deal. So long as TPP includes investor-state dispute settlement, the only winners will be international corporations.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank Senator BROWN for putting this group together to discuss the important trade issues facing our Nation.

In Massachusetts, we know what a good trade deal looks like and what a bad trade deal looks like. Remember, we are the ones that traded Babe Ruth, so we know a bad trade deal when we see one. Right now in Massachusetts, we are seeing the United States negotiate two significant agreements—the Trans-Pacific Partnership in Asia and the Transatlantic Trade and Investment Partnership in Europe.

Both of these agreements would establish binding rules on a wide range of issues, such as labor rights, energy, the environment, medicine pricing, patents, Internet freedom, and innovation. The scope goes far beyond the previous trade deals that focused on tariffs or access to markets.

These trade deals need to meet several criteria in order to be acceptable:

No. 1, workers rights. It is critically important that both trade deals protect workers rights. When we put goods on a ship, we can't do it by casting off workers rights. These deals need to benefit the middle class in our country and protect the rights of workers of our trading partners. They must also have robust and fully enforceable labor provisions that ensure compliance with international core labor standards.

No. 2, protect our environment. If companies want to make more green, great, but they have to be green, too, and follow the environmental laws to protect our resources and our planet. Both trade deals must include new and robust commitments from member countries to protect and conserve forests, oceans, wildlife, and obligate member companies to comply with both domestic environmental laws and meet their commitments under multilateral environmental agreements. These commitments must be strong and binding and enforceable.

No. 3, don't export our oil. Longstanding U.S. law prohibits the export of crude oil except in instances in which the President determines that exports are consistent with the national interests. There should not be any language in the Trans-Pacific Partnership agreement requiring the United States to automatically approve exports of oil without such a determination. We shouldn't be sending oil abroad even as we send young men and women in the military to dangerous regions of the world to protect oil shipments coming into our country. We still import 5 million barrels of oil a day. We are the largest importer in the world. We should not be exporting oil.

No. 4, no fishy stuff. The Trans-Pacific Partnership should eliminate harmful fishery subsidies. It should maintain the ability of governments to support conservation of ocean resources, promote sustainable development and viable fishing industries and the coastal communities that depend on them, and the Trans-Pacific Partnership should include strong measures that address illegal fishing.

No. 5, don't try to sneak through bad sneaker deals. It is my understanding that the current Trans-Pacific Partnership agreement includes a provision that eliminates all trade barriers for sneakers and shoes. This provision would endanger more than 1,350 critical

manufacturing jobs at the New Balance facilities in Massachusetts and Maine. New Balance has decided to keep its manufacturing in the United States, despite economic pressures and additional costs. As the last remaining U.S. manufacturer of running shoes, New Balance already has smaller profit margins on the U.S.-made shoes than most of its competitors have on their imported shoes. They should be congratulated for making a commitment to American workers, but if the TPP agreement is passed by the Congress in its current form, we will not be making that same commitment and that is because New Balance will be forced to immediately compete with Vietnam running shoe companies which have a dramatic advantage with low hourly wages and subsidized businesses. Those 1,350 jobs might be lost. That is wrong, and we must do better for our manufacturers.

No. 6, don't go around the U.S. courts. Both the Trans-Pacific Partnership and Transatlantic Trade and Investment Partnership have provisions to allow other countries to take legal action if they do not like the decisions made by our government and do it outside of our own courts. These separate panels could subject American taxpayers to billions in taxes, and when they have a problem with decisions in other countries, we will have to argue in an independent court or even in their home country courts. This double standard is wrong and it should not be included. We need trade deals that don't ship workers' rights overseas along with their jobs. We need trade deals that don't cloud our skies with more pollution or plunder our seas with illegal fishing. We need trade deals that keep our oil and manufacturing jobs here at home. We need trade deals that don't outsource justice or jobs overseas.

That is why we need to make sure, just as when Babe Ruth was traded, that we don't put a curse on our own economy by passing trade bills that do not protect the American worker.

Finally, I understand my good friend from Oklahoma Senator INHOFE came to the floor to argue that the existence of winter disproves global warming. I know some in my home State of Massachusetts might be thinking the same thought right now, because after the first snowstorm people look for a good place to sled. After the second snowstorm, people look for a place to pile the snow. After the third and fourth snowstorms, people stop looking for things to do and just start asking, Why? Why so much snow? Why such intense storms? Why won't it stop?

What if I told my colleagues that it was all part of climate change; that the winters we have known have now been supercharged by warmer waters and stronger storms; that the carbon pollution that is making our summers hotter is also making our winters more unpredictable.

Here are three facts I want my colleagues to know.

No. 1, the waters off Massachusetts—and indeed up and down the Atlantic coast—have been at record warm levels; in one case, off Cape Cod, 21 degrees warmer than normal. Warmer water gives storms more moisture. That moisture has to drop at some point, and when it does, it means more snow. That is what is going on.

No. 2, cold air is part of winter. We are New England, after all. But new research is suggesting that the melting of the Arctic icecap is causing more of those polar vortex situations that send frigid air rushing down to Canada and then down to us. That is global warming.

No. 3, more intense precipitation events have increased by 71 percent in New England since 1958—71 percent more intense precipitation. Supercharged storms from climate change are a little like Rob Gronkowski. They are bigger, they are stronger, and whether they spike the ball or drop their snow, it is going to come down harder—a lot harder.

Across the globe temperatures are going up. It is called global warming. This last year was the warmest on record across the globe. A few weeks of cold in one place does not mean global warming isn't happening. That is the difference between weather and climate. Global warming does not cancel the seasons. We will still have winter. Sometimes it will be still very cold, but overall it is going to be warmer—a lot warmer. When warmer water makes more moisture and it goes into the clouds, it has to come down, and when it does and it is cold, it should be no surprise that we will get more snow. If there is one issue we can all agree on regarding the climate, it is that every person in Massachusetts would rather be in Florida at Red Sox spring training camp right now because this snow is still coming down. But it is not just weather, it is climate change as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me congratulate and applaud Senator BROWN of Ohio for organizing this colloquy on trade. In my view, if we look at why the middle class of this country has been in decline for the last 40 years, why millions of Americans are working longer hours with lower wages, why we have seen a huge shift in the economy from a manufacturing economy where people earn good wages to a Walmart economy where people are working for very low wages and minimal benefits, one—not the only one, but one of the significant factors has been our disastrous trade policies for a number of decades.

If people are watching this discussion, there may be some people who will say, Trans-Pacific Partnership, what is that? What is that trade agreement? What are they talking about? One of the reasons they may ask that question is that a study came out recently which looked at how the major networks are covering the TPP—the Trans-Pacific Partnership. It turns out the major television networks are not covering the TPP. Incredible as it may sound, this trade agreement—the largest trade agreement in the history of the United States of America—has received virtually no coverage—no coverage—on the major networks. That, to me, is very amazing.

I think it was Albert Einstein who made the point that doing the same thing over and over again and expecting different results is sometimes called insanity. If we think a new trade agreement, based on the same principles of the old trade agreements, is going to bring different results, I think we are very wrong.

I remember, because I have been in Congress for many of the major debates on trade, that way back when we had a discussion about unfettered free trade with China and the argument was, well, look at the huge market in China, look at all the jobs we will create in America selling to China. In fact, we were told that permanent normal trade relations with China would create hundreds of thousands of American jobs. Well, not quite. It turns out, as everybody who goes into a department store knows, most of the products we buy are made in China, and it turns out the permanent normal trade relations trade agreement with China has led to the loss of more than 3 million good-paying American jobs. The reason for that is obvious. Why is a major corporation going to pay an American worker $15, $20 an hour, provide decent benefits, and obey environmental laws when that corporation can shut down here, go to China, pay people very low wages, and bring their products back to America? That is why, when we go shopping, most of what we buy is made in China.

We were told that the North American Free Trade Agreement—NAFTA—would create at least 200,000 American jobs in just a few years. Well, not quite. It turns out that NAFTA has led to the loss of about 1 million American jobs.

We were told that the Korean Free Trade Agreement would increase American jobs. Well, it turns out that it has led to the loss of over 60,000 American jobs.

Since we signed NAFTA, the United States has a cumulative trade deficit of $8.8 trillion—$8.8 trillion. That is wealth that has left the United States and gone overseas.

While the full text of the Trans-Pacific Partnership has not been made public, there have been some leaks of what is included in it, and what these leaks tell us is in fact very disturbing. I think it is obvious to anyone who has taken a look at this issue that the TPP is just a new, easy way for corporations to shut down in America and to send jobs abroad. It is estimated the United States would lose more than 130,000 jobs to Vietnam and Japan alone if the Trans-Pacific Partnership goes into effect. The reason for that is, when we

are dealing with a country such as Vietnam, my understanding is the minimum wage there is 56 cents an hour—56 cents an hour. Maybe I am old-fashioned, but I don't think American workers should be forced to compete against people who are working for 56 cents an hour.

At a time when corporations have already outsourced over 3 million service sector jobs in the United States, the Trans-Pacific Partnership includes rules that will make it easier for corporate America to outsource call centers, computer programming, engineering, accounting, and medical diagnostic drugs. Under the TPP, Vietnamese companies will be able to compete with American companies for Federal contracts funded by U.S. taxpayers, undermining ''Buy American'' laws.

If the United States is to remain a major industrial power, producing real products and creating good-paying jobs, we must develop a new set of trade policies which work for the ordinary American worker and not for large corporations and big campaign donors.

Let me be very frank as an Independent. This is not just the Republicans who have been supporting these unfettered free-trade agreements; there have been Democratic Presidents as well. Corporate America has said we want these trade policies, and the leaders of both political parties have said, yes, that is what we will do. But I think it is time to stand up and say enough is enough.

This country now is in a major race to the bottom. Workers are working longer hours for lower wages. No American worker should be forced to compete against desperate people around the world who are making pennies an hour. Corporate America, every night on television in every ad we see, tells us buy this product, buy that product. Well, you know what. If they want us to buy these products, maybe it is high time they started manufacturing those products in the United States of America.

I am opposed to the TPP, Trans-Pacific Partnership trade agreement. That is my view, but I would hope every Member is opposed to the fast-track process which gives the authority to negotiate these agreements in the final terms. That is because nobody has had the opportunity to even see what is in the proposed agreement right now. Transparency has been minimal, absolutely minimal.

I think if we are serious about creating decent-paying jobs in this country, if we are serious about raising wages, if we are serious about dealing with the other issues that have surfaced in terms of sovereignty, the idea we would make it easier for tobacco companies to sell their deadly products to children around the world and make it harder for governments to protect the health of their citizens is an absolute outrage. It is an outrage.

I again thank Senator BROWN for helping to organize this event. I hope the American people stand and tell the Congress enough is enough. We need to create decent-paying jobs in this country for a change and not just in other countries around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, as President Obama has noted in his State of the Union, the American economy is growing again. We are creating jobs at the fastest pace since 1999, and unemployment is lower than before the financial crisis. American businesses are posting large profits and boosting the stock market along with them.

Yet for many working Americans, this good news is only that, news—something they see in the paper or on TV, not in their paychecks or at the kitchen table. Many of the Wisconsin workers I hear from every day are struggling to make ends meet. They are working more, taking home less, and worried that for the first time in American history their kids will have fewer opportunities than they did.

For the last 5 years the Obama administration has been negotiating with 11 nations in the Asia-Pacific region on a free-trade agreement known as the Trans-Pacific Partnership. Some of these countries have values similar to ours and some do not. I fear this agreement could allow some nations to take advantage of the values we as Americans place on our environment, on labor laws, on human rights, and on free enterprise rules. These nations would be competing against American workers on an uneven playing field. This unfair game would continue the downward pressure on wages that has plagued American workers since before NAFTA.

The interests of Wisconsin workers are being represented in these negotiations by unelected officials in the Office of the U.S. Trade Representative. I am here to let these negotiators know that Wisconsinites don't want more of the same failed promises from free-trade deals.

Wisconsin workers make things. We have been one of the top manufacturing States for generations. If we hope to continue making things, we think we should continue to have our own government as a customer. That is why I have been a big and strong supporter of ''Buy American'' provisions that require Federal agencies that use taxpayer dollars to purchase American-made products.

Free-trade agreements have historically allowed foreign nations too much leeway when bidding for our government projects and contracts, while not affording American companies that fair access, that same access. I have asked the GAO to study this and report back to Congress so we can know the effect skirting ''Buy American'' laws have and the cost it has to American manufacturers.

Currencies that reflect their true value are also vital to the conduct of global trade. When foreign countries cheat by manipulating their currencies to price their goods cheaper, Wisconsin workers—in fact all American workers—lose.

Seven years ago, then-Senator Obama, speaking about the Bush administration's inaction on currency manipulation said it best:

> Refusing to acknowledge this problem will not make it go away. . . . The Administration's refusal to take strong action against China's currency manipulation will also make it more difficult to obtain congressional approval for renewed Trade Promotion Authority, as well as additional trade agreements.

That statement is as true today with the Obama administration as it was with the Bush administration. Currency manipulation is essentially cheating. That is why I support including strong and enforceable currency manipulation provisions in any trade agreement. Without these rules, we will allow countries to engage in a race to the bottom that leaves everybody worse off.

One of the things that has made America great is our entrepreneurial spirit. This spirit has attracted immigrant entrepreneurs from all over the world, but all too often I hear from Wisconsin businesses whose patented ideas are being stolen and replicated in Asia.

I believe any agreement must include high standards for protecting intellectual property to encourage risk-taking investments that turn into profitable companies and jobs in the United States. In the same way, I believe our ideas should be protected, I also believe that what we call our foods should be protected from foreign interference.

Let me explain what I mean by that. In fact, the European Union has sought to restrict the use of cheese, meat, and alcohol names that American producers have used for generations. For instance, cheese producers in Wisconsin would not able to call their cheese ''feta'' because it is not made in Greece, while a brewer in Wisconsin couldn't label his dark beer a ''Bavarian Black'' because it isn't made in Bavaria, in Germany.

I have worked hard to urge the U.S. Trade Representative to reject any attempt by the European Union or any foreign nation to restrict the use of common food names in order to protect our food manufacturers and processors across this country—and especially as Wisconsin is a major producer of beer and brats and cheese, this is an issue that is very close to home.

Finally, I have concerns about the value systems of some of the nations that are party to the TPP. By way of example, Brunei recently adopted new sharia laws that include death by stoning for acts of adultery, homosexuality, and forced amputations for other offenses, including consuming alcohol. These laws go so far as to outlaw

public Christmas celebrations. In fact, the act of wearing a Santa Claus hat in public could lead to a fine of more than $15,000, a 5-year imprisonment sentence or both.

Amnesty International has called the new rules in Brunei ''shocking.'' They have been declared illegal by the U.N. High Commissioner For Human Rights. We should not be affording our highest trading privileges to nations that do not value basic human rights.

I have heard from so many constituents who are rightly skeptical of the promises this new generation of trade agreements offer. I appreciate having this opportunity to express my concerns about free-trade agreements that are currently under negotiation. After seeing decades of jobs going overseas while the ones that are left pay less, who can blame the critics? Until it is clear to me that the gains from these agreements will go to the middle class and not just multinational corporations, millionaires or billionaires, I will continue to oppose them.

I thank my colleagues for organizing this opportunity to speak on trade.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise to talk about the historic vote the FCC took today to preserve Net neutrality and maintain a free and open Internet. But before I turn to that exciting news, I want to take just a moment to talk about the urgent need to pass funding for the Department of Homeland Security.

The Republican leadership has wasted a lot of time over the past month politicizing this issue, and now we find ourselves on the brink of a completely preventable shutdown of DHS. I think every American agrees that funding for Homeland Security is too important to play politics with. Last year Democrats and Republicans came together and passed a clean bill to fund the Department for a full year, and we should do the same this year. I am pleased the Senate Republicans have agreed to take up a clean funding bill, and I hope the House Republicans will quickly do the same.

NET NEUTRALITY

Turning to today's good news, I am thrilled to report that this morning the Federal Communications Commission voted to adopt new rules to preserve a free and open Internet. This is a big win for the 280 million Americans who use the Internet. I want to congratulate FCC Chairman Tom Wheeler and thank him for his leadership on Net neutrality.

The FCC has taken a crucial step to ensure that the Internet remains the platform for free expression, innovation, investment, and economic growth that it has always been. The new rules will offer meaningful protections for all Internet users. They promise to preserve the Internet's status as an open marketplace, a place where everyone can participate on equal footing, free from discrimination by broadband providers—the companies such as Comcast, Verizon, and AT&T that provide consumers with access to the Internet.

That is what Net neutrality is all about. Net neutrality isn't some radical new idea. It is the simple and longstanding principle that all lawful content on the Internet should receive equal treatment from broadband Internet service providers, regardless of who owns the content or how much money he or she has in the bank. It means broadband providers can't pick and choose which Internet traffic reaches consumers and which doesn't. This idea has been part of the architecture of the Internet from its very start.

Because of Net neutrality, an email from my constituent in rural Minnesota reaches me as quickly as an email from my bank. Because of Net neutrality, the Web site for my local pizzeria loads as quickly as the Web site for a national chain. Because of Net neutrality I can stream videos of my amazingly cute grandson just as easily I can stream a hit TV show, and he is amazingly cute. It is because of Net neutrality that companies such as Amazon, Facebook, and YouTube are household names. Once startups, these are now billion-dollar companies employing thousands. Net neutrality gave them the chance to compete on a level playing field. Their success is a testament to both American innovation and the power of a free and open Internet.

For me, the bottom line is this. The Internet is a vital part of our daily lives. Net neutrality is at the core of how the Internet operates. It is critical to our democracy and to our economy that it continue to operate in this manner. All of the amazing innovation and growth on the Internet did not just happen while we had Net neutrality; it happened because of Net neutrality.

This is not the first time the FCC has sought to protect Net neutrality. Twice before they have tried to implement rules which were then challenged by the big broadband providers and basically struck down by the DC Circuit. It was not that the Court thought that the rules were bad policy, but rather that the FCC had not invoked the proper legal basis.

Since the second court decision last year, we have seen a lot of debate about what the FCC should do. Many of us have called for stronger rules. We have argued that those rules must be grounded in the FCC's authority under title II of the Communications Act if they are going to survive judicial scrutiny and withstand the test of time.

Of course, the big broadband providers pushed for the FCC to move in the opposite direction, to take a weaker approach. Why? Well, without Net neutrality they stood to make a ton of extra money. These guys wanted the FCC to allow them to charge Web sites access to fast lanes to reach consumers. Then only those sites that could afford to pay would see their content delivered at the fastest speed ever. Everyone else would be relegated to a slow lane. Only those with very deep pockets would be able to afford to pay for the fast lanes, and the broadband providers would have profited at the expense of everybody else.

I fiercely opposed this. Millions and millions of my fellow Americans did too. Consumers and business owners spoke out and urged the FCC to adopt rules that would protect—not destroy—Net neutrality.

They made the case for Net neutrality in clear and compelling terms, arguing that strong rules are essential for the future of the Internet. With today's vote, the FCC has provided those much-needed rules. The new rules are strong, clear, and enforceable. They will prevent broadband providers from blocking or throttling lawful online content.

The rules will stop providers from charging Web sites for access to fast lanes. The FCC is implementing these rules within a time-tested legal framework that will allow the agency to respond to challenges to Net neutrality that arise in the future. Following the commonsense path that I and a number of my colleagues have long urged, the FCC has recognized that broadband Internet access is a title II service, a telecommunications service.

Last spring, I could not have predicted that we would be celebrating this victory today. The best principles of our democracy have won out. It is clear that the voices of the American people have been heard. I have often called Net neutrality the free speech issue of our time. I believe that exercising our free speech right has been key to our success and will continue to be the key to our success.

Today does not mark the end of our work—the work of all Net neutrality supporters to safeguard our free and open Internet. Some of my Republican colleagues have decried the very idea of Net neutrality. More recently others have purported to embrace the concept but at the same time have tried to stop the FCC from taking meaningful action.

My friend Senator JOHN THUNE has drafted legislation that would strip the FCC of authority to regulate access to broadband Internet services. Along with many of my colleagues, I made clear that I regard this as a nonstarter. In the weeks and months ahead, I and other Net neutrality supporters will need to continue to speak out, to make sure everyone understands what is at stake, why we stand by the strong rules adopted by the FCC and why we oppose efforts to strip the FCC of its authority or to weaken Net neutrality protections.

This will take a lot of hard work. Some folks really just do not get it. Back in November, my friend Senator TED CRUZ referred to Net neutrality as ''ObamaCare for the Internet.'' It was a statement that seemed to demonstrate just a basic misunderstanding of what

Net neutrality is and how the Internet works. For that matter, tens of thousands have seen a YouTube video of Senator CRUZ attacking FCC efforts to protect Net neutrality.

I will just pause to note that the video reached many viewers, and the reason it did was that it was uploaded to YouTube, a site that would not have flourished were it not for Net neutrality. It was because of Net neutrality that YouTube, a company founded by three guys in an office over a pizzeria in San Mateo, CA, was able to compete against and ultimately overtake the well-funded competitor, Google Video.

In his video Senator CRUZ compared an old rotary phone to a modern cell phone. He claimed that the landline was an example of stagnation due to FCC regulation under title II, while cell phone innovation was a product of noninvolvement by the government.

The attempted comparison fails for many reasons, not least because the telephone services on cell phones have long been subject to title II. In fact, the FCC is taking the same kind of approach to applying title II to broadband access services as they have taken in applying it to mobile voice services, where I think we all agree there has been robust investment and innovation under title II.

In the coming months, I expect that we are going to confront a lot of this kind of confusion and misinformation or disinformation. We are going to encounter plenty of people who oppose Net neutrality because they do not understand how the Internet works or do not understand the relevant legal authorities or, frankly, are willing to personally obfuscate to advance their own agenda. I hope the American people will remain engaged on this issue, that they remain willing to speak up, to use the Internet to spread solid information, to organize support, and ultimately to counter the deep-pocketed ISPs and the politicians who may seek to undermine Net neutrality.

I do believe that with the same energy and determination that has gotten us this far, Net neutrality supporters can make today's historic vote a lasting win for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I will yield the floor when the next speaker comes. But while we have a quiet moment, I just want to complete my remarks related to the Senator from Oklahoma and his snowball.

I ask unanimous consent to show the Earth-Now Web site on the iPad device that I have.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. If you go to Earth-Now, it is actually quite easy to load. You can see how that polar vortex measurably brings the cold air down to New England. If you do not want—this is produced by NASA. These are pretty serious people. So you can believe NASA and you can believe what their satellites measure on the planet or you can believe the Senator with the snowball.

The U.S. Navy takes this very seriously, to the point where Admiral Locklear, who is the head of the Pacific Command, has said that climate change is the biggest threat that we face in the Pacific. He is a career military officer, and he is deadly serious. You can either believe the U.S. Navy or you can believe the Senator with the snowball.

The religious and faith groups are very clear on this, by and large. I would particularly salute the U.S. Conference of Catholic Bishops, which has made very, very clear strong statements. We are going to hear more from Pope Francis about this when he releases his encyclical and when he speaks to the joint session of Congress on September 24.

I think it will be quite clear that you can either believe the U.S. Conference of Catholic Bishops and Pope Francis or you can belief the Senator with the snowball.

In corporate America there is an immense array of major, significant, intelligent, and responsible corporations that are very clear that climate change is real. They are companies such as Coke and Pepsi; companies such as Ford, GM, and Caterpillar; companies such as Walmart and Target; companies such as VF Industries, which makes a wide array of clothing products; Nike; companies such as Mars and Nestle.

So, we have our choice. We can believe Coke and Pepsi and Ford and GM and Walmart and Target and VF Industries and Nike and Mars and Nestle; or we can believe the Senator with the snowball.

Every major American scientific society has put itself on record—many of them a decade ago—that climate change is deadly real. They measure it. They see it. They know why it happens. The predictions correlate with what we see, as they increasingly come true. The fundamental principles—that it is derived from carbon pollution, which comes from burning fossil fuels—are beyond legitimate dispute to the point where the leading scientific organizations on the planet calls them ''unequivocal.''

So you can believe every single major American scientific society or you can believe the Senator with the snowball.

I would submit the following. I would submit that, if you looked at the American population and you removed the conspiracy theorists—there are always conspiracy theorists in the American population that come out and deny that the moon landing was real. They have their hobgoblins from time to time. If you remove the conspiracy theorists—and there are people who simply do not accept a lot of scientific truths. They think the Earth is only 6,000 years old. They deny that evolution is real. Fine, they are entitled to that point of view. But it is not one you would want to make much of a bet on. It is not a point of view that is likely to get, for instance, a rover onto the surface of Mars and driven around successfully by scientists. But if people want to have that point of view, they have the right to do it. I just would not put very many bets on how productive that point of view is when you are trying to accomplish something important.

Also, remove the people who have financial ties to the fossil fuel industry. So take out the conspiracy theorists, take out the evolution deniers, take out the people who have a financial tie to the fossil fuel industry, and I would be very surprised if you found virtually anybody left who was not prepared to be responsible about climate change.

Too many of us see it happening right in front of our faces. The science has been too clear for too long. Frankly, what we are seeing is the rollout of the famous tobacco strategy to delay and deny the day of reckoning because they are making money selling tobacco in the meantime while they create false doubt about the damage their product is doing.

Now is an interesting time for that because in Washington, at the U.S. Court of Appeals for the District, we just had oral argument on the enforcement of a decision rendered by a U.S. district judge finding that that tobacco scam—the deliberate pattern of lies by the tobacco industry to convince people tobacco really wasn't responsible for cancer and other ill health effects—that that campaign was a civil racketeering conspiracy. That is the law of the United States of America. I would submit that if we look at the civil racketeering conspiracy that the tobacco industry ran, that has been called out by a court of law, and we compare that to what the polluters are saying about climate change, we will see more similarities than differences.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING MIKE PERRY

Mr. MANCHIN. Mr. President, I rise today to honor a dear friend whom we have just lost in West Virginia, Mr. Mike Perry. He was a beloved community leader, a dear friend to all of us, and truly an inspiring West Virginian.

Mike was a native of Huntington, WV, which is located in beautiful Cabell County. He was a tireless champion for his community, for Marshall University, and for the entire State of West Virginia.

Upon graduating from Marshall University in 1958, Mike attended WVU School of Law and graduated first in his class. He then spent 20 years as a dedicated lawyer with the firm of Huddleston Bolen in his hometown of Huntington, becoming partner after only 5 short years. In 1981 he entered the banking business and was chairman of the board and CEO of the First Huntington National Bank until his retirement in 2001.

Mike never failed to give back to the Huntington community that he loved, which had rewarded him with so much throughout the years—an education, endless opportunities to make a successful life for himself and his family, and a truly special place he could always call home.

He served as interim president of Marshall University in 1999, donating his entire salary to the university's general scholarship fund. His performance at the university was so highly regarded that the board of trustees voted to remove the word ''interim'' from his title when listing Marshall's presidents.

Mike woke up every day aspiring to make his community an even better place to work and live and consistently encouraged others to do the same.

Throughout the years he was a great confidant of mine. I enjoyed speaking to Mike on countless occasions on an array of issues, ranging from worldly national and State policies to very localized matters concerning beautiful Cabell County.

Remarkably, despite battling cancer for 1½ years, Mike never stopped working on community projects. He served on countless boards throughout the tristate area, including those for the Huntington Area Development Council, the Tri-State Airport Authority, and St. Mary's Medical Center, among many others.

Above all, he was a dedicated family man who was truly devoted to his wife Henriella, his three children, and his eight grandchildren. Mike met Henriella in the fifth grade, and he was certain then that he had met the girl of his dreams. He knew even as a youngster that they would spend the rest of their lives together. The two married in 1958, and I think Mike would agree that Henriella always brought out the best in him and made him a better man.

Together, the Perrys moved to Harveytown in 1973, which was the future Heritage Farm Museum and Village. They transported old log structures and began reassembling buildings and accumulating a unique collection of antiques. Today the farm consists of five houses, a zoo, a church, and several buildings that showcase rich Appalachian heritage.

In 2010 both Mike and Henriella were honored with the Donald R. Myers Humanitarian Award, which recognizes individuals who have enriched Appalachia through their extensive leadership and community service endeavors.

Heritage Farm Museum and Village has become a true mainstay within West Virginia and will forever serve as a reminder of a man who lived to make his community and the Mountain State a better place, a man who was an inspiring leader, a selfless friend, a loving husband, father, grandfather, and so much more. He was a friend to all, and I personally will always value his friendship and his guidance, as will everybody who ever came in contact with Mike Perry.

So I say farewell to my dear friend and God bless to the State of West Virginia and the Perry family.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

WELCOMING THE PRIME MINISTER OF ISRAEL TO THE UNITED STATES FOR HIS ADDRESS TO A JOINT SESSION OF CONGRESS

Mr. CORNYN. Mr. President, on Tuesday of next week, Israeli Prime Minister Benjamin Netanyahu will make an historic address before the Congress. This is his third address as Prime Minister of Israel. At the invitation of Speaker BOEHNER, he is coming to discuss Iran's nuclear ambitions and the ongoing P5+1 negotiations, as well as the rise of the Islamic State terrorist group and other jihadist groups across the Middle East.

These are obviously serious issues of national security, both for Israel but also for us here in the United States, and Prime Minister Netanyahu and the citizens of Israel have a unique perspective on those issues. In the interest of staying fully informed and aligned with our closest ally in the region, Israel, Congress needs to listen to what Prime Minister Netanyahu has to say, and I look forward to doing so.

I believe the Prime Minister's speech will be both informative and timely, as the Obama administration is reportedly trying to lock down a questionable nuclear deal with the Iranians by the March 24 deadline.

That is why I have introduced S. Res. 76 that welcomes the Prime Minister of Israel to the United States for his address to Congress. This resolution explains just a few of the reasons why the U.S.-Israel alliance is so powerful and so enduring, and it states in part that we welcome the Prime Minister and eagerly await his address before Congress. This resolution reaffirms our commitment to stand with Israel in times of uncertainty, strongly supports Israel's right to self-defense, and finally reaffirms our support and the friendship between our two countries. These sentiments are widely shared in Congress, but in an increasingly perilous global security environment in which we find ourselves, I think it is important to remind people of how and why the United States stands with Israel.

A majority of Senators have cosponsored this resolution, and I believe today it is time for the Senate to pass it, to reaffirm there will be no daylight between the United States and Israel when it comes to common issues of national security.

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 76.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 76) welcoming the Prime Minister of Israel to the United States for his address to a joint session of Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CORNYN. Mr. President, I ask unanimous consent that the Cornyn amendment be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the Cornyn amendment to the title be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 262) was agreed to, as follows:

(Purpose: To make a technical correction)

On page 3, line 4, strike ''joint session'' and insert ''joint meeting''.

The resolution (S. Res. 76), as amended, was agreed to.

The preamble was agreed to.

S. RES. 76

Whereas, since its founding in 1948, Israel has been a strong and steadfast ally to the United States in the Middle East, a region characterized by instability and violence;

Whereas the United States-Israel relationship is built on mutual respect for common values, including a commitment to democracy, the rule of law, individual liberty, free-market principles, and ethnic and religious diversity;

Whereas the strong cultural, religious, and political ties shared by the United States and Israel help form a bond between our countries that should never be broken;

Whereas Israel continues to serve as a shining model of democratic values by regularly holding free and fair elections, promoting the free exchange of ideas, and vigorously exercising a form of democratic government that is fully representative of its citizens;

Whereas nations such as Iran and Syria, as well as designated foreign terrorist organizations such as Hezbollah and Hamas, refuse to recognize Israel's right to exist, continually call for its destruction, and have repeatedly attacked Israel either directly or through proxies;

Whereas, in particular, the Government of Iran's ongoing pursuit of nuclear weapons poses a tremendous threat both to the United States and Israel;

Whereas the negotiations between the so-called P5+1 countries and Iran over its illicit nuclear weapons program are entering a key phase, and Congress has heard the perspectives, both publicly and privately, of a number of close allies involved in the negotiations; and

Whereas the United States is committed to ensuring that Israel, as a strong and trusted ally, maintains its qualitative military edge: Now, therefore, be it

Resolved, That the Senate—

(1) warmly welcomes the Prime Minister of Israel, Benjamin Netanyahu, on his visit to the United States, which provides a timely opportunity to reinforce the United States-Israel relationship;

(2) eagerly awaits the address of Prime Minister Netanyahu before a joint meeting of the United States Congress;

(3) reaffirms its commitment to stand with Israel during times of uncertainty;

(4) continues to strongly support Israel's right to defend itself from threats to its very survival; and

(5) reaffirms its unequivocal and bipartisan support for the friendship between the people and Governments of the United States and Israel.

The amendment (No. 263) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A resolution welcoming the Prime Minister of Israel to the United States for his address to a joint meeting of Congress.''.

Mr. CORNYN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

Mr. MCCONNELL. Mr. President, I yield back all time on the motion to proceed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the motion.

The motion was agreed to.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 255

(Purpose: in the nature of a substitute)

Mr. MCCONNELL. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. COCHRAN, Ms. MIKULSKI, and Mrs. SHAHEEN, proposes an amendment numbered 255.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 256 TO AMENDMENT NO. 255

Mr. MCCONNELL. I have a second degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 256 to amendment No. 255.

The amendment is as follows:

At the end, add the following:

This act shall become effective 1 day after enactment.

AMENDMENT NO. 257

Mr. MCCONNELL. I have an amendment to the text proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 257 to the language proposed to be stricken by amendment No. 255.

The amendment is as follows:

At the end, add the following:

This act shall become effective 6 days after enactment.

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 258 TO AMENDMENT NO. 257

Mr. MCCONNELL. I have a second degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 258 to amendment No. 257.

The amendment is as follows:

In the amendment, strike ''6 days'' and insert ''5 days''.

MOTION TO COMMIT WITH AMENDMENT NO. 259

Mr. MCCONNELL. I have a motion to commit H.R. 240 with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to commit the bill to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 259.

The amendment is as follows:

At the end, add the following:

This act shall become effective 4 days after enactment.

Mr. MCCONNELL. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 260

Mr. MCCONNELL. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 260 to the instructions of the motion to commit H.R. 240.

The amendment is as follows:

In the amendment, strike ''4 days'' and insert ''3 days''.

Mr. MCCONNELL. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 261 TO AMENDMENT NO. 260

Mr. MCCONNELL. I have a second degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 261 to amendment No. 260.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

CLOTURE MOTION

Mr. MCCONNELL. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, Orrin G. Hatch, Susan M. Collins, Lindsey Graham, Daniel Coats, Thad Cochran, Roger F. Wicker, John Barrasso, Jeff Flake, John McCain, Mark Kirk, Kelly Ayotte, Lamar Alexander, Lisa Murkowski, Bob Corker, John Cornyn.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

IMMIGRATION RULE OF LAW ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. I move to proceed to S. 534.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 22, S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes.

Mitch McConnell, Susan M. Collins, John Thune, Cory Gardner, Lamar Alexander, Daniel Coats, James Lankford, John Barrasso, John McCain, Bill Cassidy, Roger F. Wicker, John Hoeven, Lisa Murkowski, Jeff Flake, Shelley Moore Capito, Ron Johnson, Richard Burr.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 10 a.m. on Friday, February 27, the Senate vote on the motion to invoke cloture on H.R. 240; that if cloture is invoked, all postcloture time be yielded back with the exception of 10 minutes for Senator LEE or his designee; and that following the use or yielding back of that time, the pending amendments, with the exception of amendment No. 255, be withdrawn and the Senate vote on amendment No. 255; I further ask that the bill, as amended, if amended, then be read a third time and the Senate vote on passage, and that there then be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the motion to proceed to S. 534.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING COLONEL DEWEY LEE SMITH

Mr. MCCONNELL. Mr. President, I rise today to mourn the passing of a great Kentuckian and an American hero, Col. Dewey Lee Smith. Colonel Smith of Fairdale, KY, was a U.S. Air Force veteran. He passed away on February 9, 2015, and was 85 years old.

Colonel Smith bravely served his country during the Vietnam war and was taken prisoner on June 2, 1967, as an F–105 pilot who was forced to eject over North Vietnam. He was held as a POW and not released until March 4, 1973, near the end of the Vietnam war. He spent 2,103 days in captivity and was released during Operation Homecoming.

Colonel Smith was not reluctant to talk about his POW experience, and often spoke about it on Veterans Day at area churches. He also frequently spoke to newly commissioned military officers at Fort Knox.

Among Colonel Smith's many various medals, awards, and decorations, he received the Silver Star, the Distinguished Flying Cross, and the Purple Heart. He later received a Bronze Oak Leaf Cluster, in lieu of a second Silver Star, for gallantry while a POW.

Colonel Smith was born, fittingly, on Veterans Day in 1929 in Louisville. He played football at Fairdale High School and was a linebacker and a fullback on the football team at Western Kentucky University.

He was commissioned as a second lieutenant through the Air Force ROTC program at Western Kentucky in 1953. He was awarded his pilot wings at Vance AFB, OK, in June 1954. He served in South Korea, and at the time of his capture he was stationed in Thailand.

In his retirement, Colonel Smith could frequently be seen playing golf at South Park Country Club, and he served at least once as the grand marshal of the Fairdale Fair parade. He will be greatly missed by his wife Elaine, his sons Dewey Smith Jr., Jonathan Smith, and Joshua Russell Smith, and his daughters Vicki Boyd and Sandra Smith. I know my U.S. Senate colleagues join me in expressing condolences to Colonel Smith's family.

The Louisville Courier-Journal published an obituary for Colonel Smith. I ask unanimous consent that said obituary be printed in the RECORD.

There being no objection, the obituary was ordered to appear as follows:

COLONEL DEWEY LEE SMITH

OBITUARY

Smith, Colonel Dewey Lee, 85, passed while in the nursing home in Luverne, AL, on February 9, 2015. A highly decorated veteran of the Cold War and the Vietnam War and a POW of the Vietnam War, he was awarded numerous medals for valor and citations for achievement including but not limited to the Silver Star (2), Legion of Merit, Distinguished Flying Cross for Valor (2), Bronze Star for Valor, Purple Heart (2), and Prisoner of War Medal.

Colonel Smith was a courageous, honorable and loyal airman, as well as a patient and loving father, a humble family man, and a faithful servant of God. He married Elaine Hall in Glenwood, Alabama in 1974. As a natural at the game of football, he coached little league, played his senior year at Fairdale High School in Fairdale, Kentucky and received a scholarship to play at Western Kentucky, where he played from 1948 to 1953, and served as a student coach in 1953.

Colonel Smith was born on November 11, 1929 in Louisville, KY, to John and Edna Smith.

He is survived by his wife of 40 years, Elaine Hall Smith; his daughters, Vicki Boyd of Chattanooga and Sandy Smith of Louisville; his sons, Lieutenant Colonel Dewey L. Smith, Jr. ''Chip'' of Missoula, MT, Captain Jonathan Smith (April) and Sergeant Joshua Smith (Samlong) of Louisville; his grandchildren, Mike, Halle, Mahalia, Kaden, Kellan, Samara, and Serena; his sister, Mildred Davis of Shepherdsville; and many nieces and nephews who adored their Uncle Dewey. Colonel Dewey was preceded in death by his parents, John and Edna; his brothers, Homer Smith and Johnny Ray Smith (Louisville), Cedar Smith of Charlestown, IN; his sisters, Alice Oney of Louisville, Elizabeth Trotter of Chattanooga, and Mary Stewart of Evarts, KY; daughter, Donna.

A viewing will take place at Fairdale-McDaniel Funeral Home, Friday 3–8 p.m. and Saturday 11 a.m.—1 p.m., with the burial immediately following at Bethany Cemetery at 2 p.m. The service will be officiated by Brother David Brading and Jack Davis.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI, paragraph 2 requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 24, 2015, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or a majority of the Members of the Subcommittee. In all cases, notification to all Subcommittee Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member,

Minority Staff Director, or the Minority Chief Counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman, Staff Director, or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman and the Ranking Minority Member with notice of such approval to all Members of the Subcommittee.

No public hearing shall be held if the Minority Members of the Subcommittee unanimously object, unless the Committee on Homeland Security and Governmental Affairs (the ''Committee'') approves of such public hearing by a majority vote.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the Committee waive the 48 hour waiting period or unless the Chairman certifies in writing to the Chairman and Ranking Minority Member of the Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file, in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that at least one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her representative, or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing and to advise such witness while he or she is testifying of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing another witness, creates a conflict of interest, and that the witness may only be represented during interrogation by Subcommittee staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing another witness. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by the Chairman or designated Member.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chairman, Staff Director, or Chief Counsel 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by the witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Subcommittee Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chairman questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman, Staff Director, or Chief Counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or he or she

was otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests to file his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Members of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members of the Subcommittee.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff shall work under the direction and supervision of the Ranking Minority Member. The Minority Staff Director and the Minority Chief Counsel shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI, paragraph 2 requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 26, 2015, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Spending Oversight and Emergency Management adopted subcommittee rules of procedure.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Subcommittee on Federal Spending Oversight and Emergency Management.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Rules of Procedure of the Committee on Homeland Security and Governmental Affairs

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Government Affairs any measures, matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 48 hours, excluding Saturdays and Sundays and legal holidays in which the Senate is not in session, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI, paragraph 2 requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 26, 2015, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Regulatory Affairs and Federal Management adopted subcommittee rules of procedure.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Subcommittee on Regulatory Affairs and Federal Management.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Rules of Procedure of the Committee on Homeland Security and Governmental Affairs

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

(1) SUBCOMMITTEE RULES. The Subcommittee shall be governed, where applicable, by the rules of the Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

(2) QUORUMS. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of business other than the administering of oaths and the taking of testimony, provided that one Member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) TAKING TESTIMONY. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

(4) SUBCOMMITTEE SUBPOENAS. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 24 hours excluding Saturdays and Sundays, of being notified of the subpoena. If the subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by a vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman, or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to appropriate offices, unless the

Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue the subpoena immediately.

NOMINATION OF CHRISTOPHER A. HART

Mr. BOOKER. Mr. President, I strongly support the nomination of Christopher A. Hart to serve as Chairman of the National Transportation Safety Board, NTSB. Today I joined the Commerce Committee's unanimous approval of his nomination and urge my colleagues to move quickly to confirm Mr. Hart as Chair of the NTSB.

The NTSB plays a critical role in objectively evaluating accidents in aviation, railroad, highway, marine, and pipeline transportation services. The NTSB forms extensive recommendations on future enhancements in transportation safety and is a great asset in improving the national standard for transportation security. Given how critical the NTSB is to public safety, I cannot stress enough the importance of the full Senate approving this role. As Chairman, Mr. Hart will provide needed leadership to guide the NTSB's work.

In New Jersey, the NTSB serves an essential role in improving public safety. Just last year, the NTSB moved quickly to launch a thorough investigation of a high-profile truck accident in June 2014. In addition, in response to the 2012 Paulsboro, NJ train derailment, the NTSB issued a comprehensive report with a number of needed safety recommendations. The NTSB's thorough analysis and review of these accidents significantly aids local governments, first responders, and Federal lawmakers in making important policy decisions to avoid future catastrophes.

Given the importance of the NTSB to New Jersey and across the country, I am proud to support a nominee to lead this organization with a breadth of experience in senior leadership roles in aviation and highway safety. Mr. Hart's proven leadership of the NTSB makes him uniquely qualified to lead this organization. I am proud to offer my full support for Mr. Hart, who I am honored to note upon approval by this body, will serve as the first African-American Chairman of the NTSB. Mr. Hart continues the tradition of his great uncle James Herman Banning, the first African American to receive a pilot's license issued by the U.S. Government in 1926. As a pilot himself, and a true public servant, Mr. Hart will help the NTSB continue making a substantial positive impact on American public safety. Thank you.

TRIBUTE TO TYLER STEPHENS

Mr. BURR. Mr. President, I wish to pay special tribute to Tyler Stephens, a key member of my staff on the Select Committee on Intelligence. Tyler will leave us shortly to join the private sector. I am honored to have the opportunity to publicly thank Tyler and note my appreciation for his outstanding service to the United States Senate during the past 8 years, including his last 4 years of dedicated service to the Select Committee on Intelligence.

Tyler is one of the brightest and most talented individuals on Capitol Hill. He is also among the best connected, a testament to the high regard in which he is held. Beginning as a staff assistant for Senator JOHNNY ISAKSON in January 2007, he learned the Senate from the ground up and quickly rose through the ranks to his current position as a senior policy advisor on the Intelligence Committee. Tyler spent most of his time in the Senate as a close personal adviser to Senator Saxby Chambliss, my dear friend and colleague, on both his personal staff and throughout Saxby's tenure as the vice chairman of the Intelligence Committee. Tyler worked hard to establish his expertise as a policy and appropriations advisor on foreign relations, defense, homeland security, commerce, transportation, energy, environmental, and technology issues. On the Intelligence Committee, he quickly became a respected subject matter expert on a wide range of national security issues, including counterterrorism, covert action, and cybersecurity. As impressive as Tyler's resume and experience are, it is his personal dedication and quick wit that often carry the day. In an environment filled with threat briefings, hostile nation states, and post-9/11 conflict, it is often easy for some to dwell on the negative. Not Tyler—the consummate team player and totally mission-oriented—no challenge has been too great and no objective too small. His great sense of humor, contagious chuckles, and mischievous grin often lightened the mood and helped those around him perform better during stressful situations. With his boundless energy and enthusiasm, he made it all look easy.

My colleagues and I trust Tyler's judgment implicitly. He has played a key role in helping committee members develop successful legislative strategies for resolving difficult national security issues. He was also particularly helpful to me during my transition as the chairman of the Select Committee on Intelligence at the beginning of this Congress. Tyler's dedicated public service and exceptional day-to-day performance on the job have earned our respect and admiration, and it inspired a generation of staff who had the privilege to work alongside him. There is no doubt that Tyler has a bright future in the private sector; however, should the right opportunity present itself, I would strongly encourage my Senate colleagues to entice him back into public service. We will miss Tyler deeply, but his legacy will remain a part of the Senate Select Committee on Intelligence for years to come.

ADDITIONAL STATEMENTS

TRIBUTE TO NEIL ROBERTSON

● Mr. BLUMENTHAL. Madam President, I wish to pay tribute to a Connecticut resident who recently demonstrated extraordinary capability and heroism. Officer Neil Robertson of the Norwalk Police Department was on patrol this past Tuesday, February 24, when he drove by a railroad crossing and noticed a vehicle partially stopped on the tracks. He also saw that a train was approaching. The driver of the vehicle, who may not have been aware of the train, was unable to move forward because of gridlock in the intersection ahead. Officer Robertson quickly and accurately judged the impending danger. He immediately leapt from his car and directed traffic to move forward, allowing the driver of the stuck vehicle to escape the path of the oncoming train just seconds before it passed through the crossing.

Officer Robertson is a 4-year veteran of the Norwalk Police Department. He deserves the highest praise not just for his choice to enter a career in public service but for his speedy and decisive actions to avert a potentially disastrous accident. I know that all of Connecticut joins me in honoring and thanking him for his exemplary performance in the line of duty.●

INDIANAPOLIS CHAMBER OF COMMERCE 125TH ANNIVERSARY

● Mr. DONNELLY. Mr. President, today I wish to congratulate the hardworking members of the Indianapolis Chamber of Commerce as they celebrate 125 years of creating jobs, building Indiana's economy, and improving the lives of Hoosiers all across our State.

Originally called the Indianapolis Commercial Club, the Indianapolis Chamber of Commerce was founded in 1890 by COL Eli Lilly to address needs brought on by urban expansion in Central Indiana. The rapid expansion of industry and transportation in the region at the time left what had been a rural population with insufficient infrastructure to meet the needs of the growing city. The steadfast response of these leaders to remedy this situation represents the determination and ingenuity that the Indy Chamber continues to exhibit today.

The 1912 merger of this group with like-minded business organizations, including the Manufacturers, Trade and Merchants Associations, became what is today known as the Indy Chamber. While the economic landscape has changed significantly, the Indy Chamber of today stays true to its earliest vision of boosting area businesses and growing industry and investment throughout the Indianapolis area.

With a bold civic agenda, Colonel Lilly and the early founders of the Indy Chamber invested their efforts in building up its membership and increasing the quality of life for residents and businesses alike—including advocating for better roadways so citizens and visitors could easily travel to their jobs and places of leisure; providing relief programs for citizens hit by economic depression; and serving as an adviser to elected and appointed officials on issues addressed at all levels of governing.

In 2013, the Indy Chamber merged with three area economic development organizations—Indy Partnership, Develop Indy, and Business Ownership Initiative—putting an even greater emphasis on the organization's mission to strengthen the metro economy. Today, the Indy Chamber's commitment to urban and rural metro strength can be seen in the ever-expanding resources they offer to large corporations and entrepreneurial startups alike.

As a leading advocate for business in the Indy area today, the Indy Chamber's mission remains true to its roots while at the same time adapting to accommodate the ever-growing landscape of today's business world. Their core mission includes keeping a keen eye on education and workforce development, supporting strong, fiscally responsible governing, and investment in regional infrastructure including roads and waterways—all areas that have an immense impact on the region's ability to attract jobs, talent, and capital.

On behalf of the citizens of Indiana, I sincerely congratulate each and every member of the Indianapolis Chamber of Commerce team on their 125th anniversary, and I wish them continued success and growth in the years to come.●

TRIBUTE TO ED GUTHRIE

● Mr. HELLER. Mr. President, today I wish to recognize Ed Guthrie, executive director at Opportunity Village, for his tireless efforts to enhance the lives of those around him. Mr. Guthrie has dedicated 20 years to working for Opportunity Village, helping thousands with disabilities. The organization gives students a positive social environment and provides support to families and loved ones. Mr. Guthrie has contributed greatly to the city of Las Vegas by working to make Opportunity Village the best it can be.

He stands as a shining example of someone who has devoted his life to the betterment of others. Throughout his 20 years with Opportunity Village, Guthrie has grown the organization to be recognized internationally, receiving numerous awards. It was named one of the country's top five rehabilitation service providers in the United States by the Social Security Administration and was distinguished as Las Vegas' Best Community Organization.

Mr. Guthrie has had great influence in expanding the facilities over the years, pushing to open the Walters Family Campus of Opportunity Village and the North Campus of Opportunity Village. I have personally taken a tour of the Ralph and Betty Engelstad Campus and witnessed the importance of space specifically laid out for the needs of the organization. Opportunity Village now has three employment training center campuses and a thrift store, and it services 1,990 people every day. Mr. Guthrie's dedication to these students and families is without limit and stands as a pristine example of selflessness.

Opportunity Village offers vocational training, community employment, day services, advocacy, arts, and social recreation, creating a productive environment for those who participate. This gives students the opportunity to create friendships and pursue independence to become part of the local community. I have seen firsthand, after attending Opportunity Village events such as the 10th annual Job Discovery Program graduation ceremony and hosting meetings with Mr. Guthrie, the positive atmosphere that the organization offers to the community.

I extend my deepest gratitude to Mr. Guthrie for his noble contributions to the Las Vegas community and to the individuals that have benefited from Opportunity Village. His service to Nevada places him among the outstanding men and women of the State.

Today, I ask my colleagues and all Nevadans to join me in recognizing Mr. Guthrie and his work for Opportunity Village, a program with a mission that is both honorable and necessary. I wish the program the best of luck in all of its future endeavors.●

TRIBUTE TO DAVID MORTON

● Mr. HELLER. Mr. President, today I congratulate David Morton on his retirement after 26 years of service with the Housing Authority of the City of Reno. It gives me great pleasure to recognize the years of hard work and dedication he has committed to the City of Reno and the Silver State.

Mr. Morton earned his bachelor of arts from Auburn University in Alabama and then went on to complete his graduate studies in history and political science at Vanderbilt University in Nashville, TN. Upon completion of his studies, Mr. Morton began his career as a community organization officer at the Metropolitan Development and Housing Agency in Nashville. After 20 years of working for two successful housing agencies in Nashville and Dallas, TX, Mr. Morton moved to the city of Reno to utilize his experience in a new location, benefitting the great State of Nevada. His work within the community shines as an outstanding example of true commitment to bettering the State.

During his tenure, Mr. Morton also served as president of the Public Housing Authorities Directors Association, secretary and treasurer of the board of directors of the Housing Authorities Risk Retention Pool, trustee of the Legislative Committee for the Public Housing Authorities Directors Association, and member of the Housing Committee for the National Association of Housing and Redevelopment Officials. His work throughout these many organizations demonstrates his dedication to honorably representing Nevada on a larger scale. He currently serves as president of the Washoe Affordable Housing Corporation, which administers project-based contracts with the Department of Housing and Urban Development for the State of Nevada. Although he is retiring, his legacy within these organizations will continue for years to come.

The Reno community has greatly benefitted from the hard work of Mr. Morton. He exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating David Morton on his retirement, and I offer my deepest appreciation for all that he has done to make Nevada an even better place. I offer my best wishes for many successful and fulfilling years to come.●

RECOGNIZING DARRELL'S

● Mr. VITTER. Mr. President, in many cases small businesses are the best representatives of their communities. If you were to ask folks from Lake Charles, LA for the best po-boy in town, locals would agree that Darrell's is the spot to be. All about great food and good times, Darrell's has provided its patrons with genuine Louisiana fare for over 30 years, which is why Darrell's is this week's Small Business of the Week.

Open Monday through Saturday, Darrell's has become a staple in the Lake Charles community and the surrounding southwest Louisiana area. A go-to for locals of all ages and walks of life, Darrell's menu includes mouthwatering po-boys piled high with a variety of fresh, delicious Louisiana ingredients. Most popular on the menu is the Darrell's Special po-boy, which comes piled high with fresh-sliced ham, turkey, and roast beef cooked in and covered with homemade roast beef gravy. Locals would recommend adding a schmear of Darrell's own jalapeno mayo, a side of chips, and an ice-cold glass of sweet tea. Darrell's has also upped the ante with baking their crusty French bread in-house and serving a specialty barbeque sauce. Darrell's also takes advantage of Louisiana's successful seafood industry by serving up a spicy Cajun shrimp po-boy option. It is always great to see local establishments tap into the rich resources our State has to offer because that is when we begin to see economic growth across the board.

Beyond mouth-watering po-boys, Darrell's also serves as a local watering-hole where customers can enjoy a cold beverage while cheering on their

favorite sports team. After the dinner rush, Darrell's turns into a full-service bar. It even stays open until 2 a.m. on Tuesdays to accommodate their loyal patrons. The Southwest Louisiana community was saddened by the passing of the original beloved owner Darrell Derouen in 2013. However, his wife Susie Derouen proudly continues the family tradition of quality food, service, and authenticity at the famous Lake Charles location.

Establishments like Darrell's are vital members of their communities and are well-deserving of our continued support and encouragement as they grow and thrive. Congratulations again to Darrell's, Small Business of the Week, for 30 years of service to the Lake Charles community. I wish you continued success, great food, and good times in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:42 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 529. An act to amend the Internal Revenue Code of 1986 to improve 529 plans.

H.R. 1020. An act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1020. An act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–708. A communication from the President of the United States, transmitting, pursuant to law, the Economic Report of the President together with the 2015 Annual Report of the Council of Economic Advisers; to the Joint Economic Committee.

EC–709. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of The Rocks District of Milton-Freewater Viticultural Area'' (RIN1513–AC05) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–710. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Special Federal Aviation Regulation No. 87—Prohibition Against Certain Flights Within the Territory and Airspace of Ethiopia'' (RIN2120–AK59) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–711. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Automatic Dependent Surveillance - Broadcast (ADS—B) Out Performance Requirements to Support Air Traffic Control (ATC) Service; Technical Amendment'' (RIN2120–AI92) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–712. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0622)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–713. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls Royce Corporation Turboprop and Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0961)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–714. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0173)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–715. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0082)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–716. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0231)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–717. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0188)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–718. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0527)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–719. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0525)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–720. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0079)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–721. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0624)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–722. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Technify Motors GmbH (Type Certificate Previously Held by Thielert Aircraft Engines GmbH) Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0683)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–723. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0230)) received

during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–724. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0096)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–725. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0876)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–726. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0078)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–727. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0146)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–728. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0750)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–729. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (formerly Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2015–0133)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–730. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0142)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–731. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Type Certificate Currently Held By AgustaWestland S.p.A.) (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0465)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–732. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0087)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–733. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–1088)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–734. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0344)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–735. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2007–28059)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–736. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Corporation Turboprop and Turbofan Engines (Type Certificate previously held by Allison Engine Company)'' ((RIN2120–AA64) (Docket No. FAA–2014–0462)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–737. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Quest Aircraft Design, LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0099)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–738. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lycoming Engines Reciprocating Engines (Type Certificate previously held by Textron Lycoming Division, AVCO Corporation)'' ((RIN2120–AA64) (Docket No. FAA–2014–0540)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–739. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0446)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–740. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0138)) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–741. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (31); Amdt. No. 3625'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–742. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (172); Amdt. No. 3626'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–743. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 52'' (RIN0648–BE22) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–744. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measures for Gray Triggerfish in the Gulf of Mexico; Reduced Annual Catch Limit and Annual Catch Target and Closure'' (RIN0648–XD723) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–745. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone

Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD747) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–746. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD750) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–747. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Amendment 20B'' (RIN0648–BD86) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–748. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD749) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–749. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic'' (RIN0648–XD709) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–750. A communication from the Census Bureau Federal Register Liaison Officer, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information'' (RIN0607–AA52) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–751. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135–AA36) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–752. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; San Diego Crew Classic; Mission Bay, CA'' ((RIN1625–AA08) (Docket No. USCG–2014–1063)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–753. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Bradenton Area Riverwalk Regatta; Manatee River, Bradenton, FL'' ((RIN1625–AA08) (Docket No. USCG–2014–0905)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–754. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''MARPOL Annex I Amendments'' ((RIN1625–AB57) (Docket No. USCG–2010–0194)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–755. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Triathlon National Championships, Milwaukee Harbor, Milwaukee, Wisconsin'' ((RIN1625–AA00) (Docket No. USCG–2014–0751)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–756. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Moving Security Zone; Escorted Vessels; MM 90.0—106.0, Lower Mississippi River; New Orleans, LA'' ((RIN1625–AA87) (Docket No. USCG–2014–0995)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–757. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System'' ((RIN1625–AA99) (Docket No. USCG–2005–21869)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–758. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Revision of Auxiliary Regulations'' ((RIN1625–AB66) (Docket No. USCG–1999–6712)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–759. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Temporary Exemption from the Requirement of a Tolerance'' (FRL No. 9922–53) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–760. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fomesafen; Pesticide Tolerance'' (FRL No. 9922–82) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–761. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethenamid; Pesticide Tolerances'' (FRL No. 9922–08) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus subtilis strain IAB/BS03; Exemption from the Requirement of a Tolerance'' (FRL No. 9920–62) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–763. A communication from the Chairman, Broadcasting Board of Governors, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–764. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Operational Energy, Plans and Programs), Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Armed Services.

EC–765. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Reserve Affairs), Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Armed Services.

EC–766. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Army, received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Armed Services.

EC–767. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled, ''Report to Congress on Fiscal Year 2016 Staff Years of Technical Effort and Estimated Funding for Department of Defense Federally Funded Research and Development Centers''; to the Committee on Armed Services.

EC–768. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Patricia E. McQuistion, United States Army, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–769. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–146); to the Committee on Foreign Relations.

EC–770. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR

Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–771. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled ''U.S. Department of Education Fiscal Year 2014 Annual Performance Report and Fiscal Year 2016 Annual Performance Plan''; to the Committee on Health, Education, Labor, and Pensions.

EC–772. A communication from the Acting Assistant Secretary, Office of Legislation and Congressional Affairs, Department of Education, transmitting, pursuant to law, a report entitled ''U.S. Department of Education Fiscal Year 2014 Annual Performance Report and Fiscal Year 2016 Annual Performance Plan''; to the Committee on Health, Education, Labor, and Pensions.

EC–773. A communication from the Chief Information Security Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's 2014 Federal Information Security Management Act (FISMA) and Agency Privacy Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC–774. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''U.S. Merit Systems Protection Board Annual Performance Report for FY 2014 and Annual Performance Plan for FY 2015 (Final) and FY 2016 (Proposed)''; to the Committee on Homeland Security and Governmental Affairs.

EC–775. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second quarter of fiscal year 2014 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC–776. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Air Emissions Reporting Requirements: Revisions to Lead (Pb) Reporting Threshold and Clarifications to Technical Reporting Details'' ((RIN2060–AR29) (FRL No. 9922–27–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–777. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque-Bernalillo County Air Quality Control Board'' (FRL No. 9923–05–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–778. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Revision to Control of Air Pollution from Volatile Organic Compounds; Alternative Leak Detection and Repair Work Practice'' (FRL No. 9923–24–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–779. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; VOM Definition'' (FRL No. 9921–44–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–780. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Attainment Redesignation for Missouri Portion of the St. Louis MO–IL Area; 1997 8-Hour Ozone Standard and Associated Maintenance Plan'' (FRL No. 9923–14–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–781. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Emissions Inventories for the Dallas-Fort Worth and Houston-Galveston-Brazoria Ozone Nonattainment Areas'' (FRL No. 9923–19–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Environment and Public Works.

EC–782. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Pacific Whiting Allocations and Fishery Closure; Pacific Whiting Seasons'' (RIN0648–XD640) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–783. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–784. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Turkey; to the Committee on Banking , Housing, and Urban Affairs.

EC–785. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Vietnam; to the Committee on Banking, Housing, and Urban Affairs.

EC–786. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Sudanese Sanctions Regulations'' (31 CFR Part 538) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–787. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulation SBSR—Reporting and Dissemination of Security-Based Swap Information'' (RIN3235–AK80) received during adjournment of the Senate in the Office of the President of the Senate on February 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–788. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Security-Based Swap Data Repository Registration, Duties, and Core Principles'' (RIN3235–AK79) received during adjournment of the Senate in the Office of the President of the Senate on February 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–789. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Tho Dinh-Zarr, of Texas, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2018.

*Carlos A. Monje, Jr., of Louisiana, to be an Assistant Secretary of Transportation.

*Manson K. Brown, of the District of Columbia, to be an Assistant Secretary of Commerce.

*William P. Doyle, of Pennsylvania, to be a Federal Maritime Commissioner for a term expiring June 30, 2018.

*Christopher A. Hart, of Colorado, to be Chairman of the National Transportation Safety Board for a term of two years.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Coast Guard nominations beginning with George F. Adams and ending with Andrew H. Zuckerman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 26, 2015.

By Mr. GRASSLEY for the Committee on the Judiciary.

Loretta E. Lynch, of New York, to be Attorney General.

Michelle K. Lee, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Alfred H. Bennett, of Texas, to be United States District Judge for the Southern District of Texas.

George C. Hanks, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah.

Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Nancy B. Firestone, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Thomas L. Halkowski, of Pennsylvania, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Patricia M. McCarthy, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Jeri Kaylene Somers, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Armando Omar Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY (for himself and Mr. WARNER):

S. 576. A bill to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TOOMEY (for himself, Mrs. FEINSTEIN, and Mr. FLAKE):

S. 577. A bill to amend the Clean Air Act to eliminate the corn ethanol mandate for renewable fuel; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 578. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mrs. MCCASKILL, and Mr. JOHNSON):

S. 579. A bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE:

S. 580. A bill to include community partners and intermediaries in the planning and delivery of education and related programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 581. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mr. ROBERTS, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GRAHAM, Mr. GRASSLEY, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Mr. PAUL, Mr. PERDUE, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, Mr. SASSE, and Mr. SHELBY):

S. 582. A bill to prohibit taxpayer funded abortions; to the Committee on Finance.

By Mr. RISCH:

S. 583. A bill to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WARNER):

S. 584. A bill to amend title XVIII of the Social Security Act to provide the option to receive Medicare Summary Notices electronically, to increase the flexibility and transparency of contracts with medicare administrative contractors, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. FRANKEN, Mr. SANDERS, and Mrs. BOXER):

S. 585. A bill to amend the Natural Gas Act with respect to the exportation of natural gas, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Mr. MARKEY, Mr. KIRK, Ms. AYOTTE, Mrs. BOXER, Mr. NELSON, Mr. DONNELLY, Mr. CARPER, Mr. BOOKER, Mr. GRASSLEY, and Mr. PETERS):

S. 586. A bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. PETERS):

S. 587. A bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries, and for other purposes; to the Committee on Armed Services.

By Mr. DURBIN (for himself, Mr. NELSON, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. KLOBUCHAR):

S. 588. A bill to require the Consumer Product Safety Commission to establish a consumer product safety standard for liquid detergent packets to protect children under the age of five from injury or illness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself, Mr. PORTMAN, Mr. BROWN, Mr. PETERS, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. SCHUMER):

S. 589. A bill to provide an immediate measure to control the spread of aquatic nuisance species from the Mississippi River basin to the Great Lakes basin and to inform long-term measures to prevent the Interbasin transfer of aquatic nuisance species; to the Committee on Environment and Public Works.

By Mrs. MCCASKILL (for herself, Mr. HELLER, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Ms. AYOTTE, Mr. WARNER, Mr. RUBIO, Mr. PETERS, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. BLUNT, Mrs. BOXER, Mr. REED, Ms. STABENOW, and Mrs. SHAHEEN):

S. 590. A bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT (for himself, Mr. SCHUMER, Mr. DAINES, and Mr. CARDIN):

S. 591. A bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. HEINRICH, and Mr. UDALL):

S. 592. A bill to improve the transition between experimental permits and commercial licenses for commercial reusable launch vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Mr. SCHATZ):

S. 593. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; to the Committee on Energy and Natural Resources.

By Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEAHY):

S. 594. A bill to establish a tiered hiring preference for members of the reserve components of the Armed Forces; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COTTON (for himself and Mr. BOOZMAN):

S. 595. A bill to amend the Migratory Bird Treaty Act to prohibit baiting exemptions on certain land; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 596. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

By Mr. TILLIS:

S. 597. A bill to amend section 706 of the Telecommunications Act of 1996 to provide that such section does not authorize the Federal Communications Commission to preempt the laws of certain States relating to the regulation of municipal broadband, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. CRAPO, and Mr. NELSON):

S. 598. A bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. TOOMEY, and Ms. COLLINS):

S. 599. A bill to extend and expand the Medicaid emergency psychiatric demonstration project; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. HOEVEN, Ms. STABENOW, Mr. RISCH, Mr. BLUNT, and Mr. SCHATZ):

S. 600. A bill to require the Secretary of Energy to establish an energy efficiency retrofit pilot program; to the Committee on Energy and Natural Resources.

By Ms. HEITKAMP (for herself and Mr. KAINE):

S. 601. A bill to direct Federal investment in carbon capture and storage and other clean coal technologies, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. BOOZMAN):

S. 602. A bill to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mrs. MURRAY):

S. 603. A bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to

transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. NELSON):

S. 604. A bill to reauthorize and improve a grant program to assist institutions of higher education in establishing, maintaining, improving, and operating Veteran Student Centers; to the Committee on Veterans' Affairs.

By Mr. BENNET (for himself and Mr. SCHATZ):

S. 605. A bill to amend the Elementary and Secondary Education Act of 1965 to invest in innovation for education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. SCHATZ):

S. 606. A bill to extend the right of appeal to the Merit Systems Protection Board to certain employees of the United States Postal Service; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BOOKER (for himself, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. ISAKSON, Mr. DURBIN, Ms. MURKOWSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PAUL, Mr. MERKLEY, Mr. COONS, Mr. PORTMAN, Ms. STABENOW, Mr. MURPHY, Mr. WICKER, Ms. AYOTTE, Mr. BURR, Mr. CARDIN, Mr. REED, Mr. PERDUE, Mr. TILLIS, Mr. PETERS, and Mr. SASSE):

S. Res. 88. A resolution celebrating Black History Month; considered and agreed to.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 89. A resolution congratulating the Oregon Shakespeare Festival on its 80th year; considered and agreed to.

By Ms. HIRONO (for herself, Ms. MURKOWSKI, Mrs. CAPITO, Ms. HEITKAMP, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Mrs. BOXER, Ms. STABENOW, Ms. MIKULSKI, Ms. CANTWELL, Ms. COLLINS, Ms. AYOTTE, Mrs. SHAHEEN, Mrs. MURRAY, Mrs. FISCHER, and Ms. KLOBUCHAR):

S. Res. 90. A resolution designating February 2015 as ''American Heart Month'' and February 6, 2015, as ''National Wear Red Day''; considered and agreed to.

By Ms. COLLINS (for herself, Mr. REED, and Mr. DURBIN):

S. Res. 91. A resolution designating March 2, 2015, as ''Read Across America Day''; considered and agreed to.

By Mr. MCCAIN (for himself and Mr. REID):

S. Con. Res. 6. A concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 141

At the request of Mr. CORNYN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 141, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 153

At the request of Mr. HATCH, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 153, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 166

At the request of Ms. KLOBUCHAR, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 166, a bill to stop exploitation through trafficking.

S. 207

At the request of Mr. MORAN, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 207, a bill to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, and for other purposes.

S. 226

At the request of Mr. PAUL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 226, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 233

At the request of Mr. LEE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 233, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 235

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 262

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Ms. HEITKAMP), the Senator from Hawaii (Ms. HIRONO), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 262, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 271

At the request of Mr. REID, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 298

At the request of Mr. BENNET, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 338

At the request of Mr. BURR, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 338, a bill to permanently reauthorize the Land and Water Conservation Fund.

S. 358

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 358, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 371

At the request of Ms. MURKOWSKI, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 371, a bill to remove a limitation on a prohibition relating to permits for discharges incidental to normal operation of vessels.

S. 388

At the request of Mr. BOOKER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 388, a bill to amend the Animal Welfare Act to require humane treatment of animals by Federal Government facilities.

S. 396

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from

Hawaii (Mr. SCHATZ) were added as cosponsors of S. 396, a bill to establish the Proprietary Education Oversight Coordination Committee.

S. 431

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 431, a bill to permanently extend the Internet Tax Freedom Act.

S. 474

At the request of Mr. TOOMEY, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 474, a bill to require State educational agencies that receive funding under the Elementary and Secondary Education Act of 1965 to have in effect policies and procedures on background checks for school employees.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 517

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 517, a bill to extend the secure rural schools and community self-determination program, to restore mandatory funding status to the payment in lieu of taxes program, and for other purposes.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 532

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 532, a bill to improve highway-rail grade crossing safety, and for other purposes.

S. 546

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 546, a bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 554

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. BOOKER), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 554, a bill to provide for the compensation of Federal employees affected by a lapse in appropriations.

S. 568

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Michigan (Mr. PETERS), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 568, a bill to extend the trade adjustment assistance program, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 578. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today on behalf of myself and Senator SCHUMER to introduce legislation to ensure that our seniors and disabled citizens have timely access to home health services under the Medicare program.

Nurse practitioners, physician assistants, certified nurse midwives and clinical nurse specialists are all playing increasingly important roles in the delivery of health care services, particularly in rural and medically underserved areas of our country where physicians may be in scarce supply. In recognition of their growing role, Congress, in 1997, authorized Medicare to begin paying for physician services provided by these health professionals as long as those services are within their scope of practice under State law.

Despite their expanded role, these advanced practice registered nurses and physician assistants are currently unable to order home health services for their Medicare patients. Under current law, only physicians are allowed to certify or initiate home health care for Medicare patients, even though they may not be as familiar with the patient's case as the non-physician provider. In fact, in many cases, the certifying physician may not even have a relationship with the patient and must rely upon the input of the nurse practitioner, physician assistant, clinical nurse specialist or certified nurse midwife to order the medically necessary home health care. At best, this requirement adds more paperwork and a number of unnecessary steps to the process before home health care can be provided. At worst, it can lead to needless delays in getting Medicare patients the home health care they need simply because a physician is not readily available to sign the form.

The inability of advanced practice registered nurses and physician assistants to order home health care is particularly burdensome for Medicare beneficiaries in medically underserved areas, where these providers may be the only health care professionals available. For example, needed home health care was delayed by more than a week for a Medicare patient in Nevada because the physician assistant was the only health care professional serving the patient's small town, and the supervising physician was located 60 miles away.

A nurse practitioner told me about another case in which her collaborating physician had just lost her father and was not available. As a consequence, the patient experienced a 2 day delay in getting needed care while they waited to get the paperwork signed by another physician.

Another nurse practitioner pointed out that it is ridiculous that she can order physical and occupational therapy in a subacute facility but cannot order home health care. One of her patients had to wait eleven days after being discharged before his physical and occupational therapy could continue simply because the home health agency had difficulty finding a physician to certify the continuation of the same therapy that the nurse practitioner had been able to authorize when the patient was in the facility.

The Home Health Care Planning Improvement Act will help to ensure that our Medicare beneficiaries get the home health care that they need when they need it by allowing physician assistants, nurse practitioners, clinical nurse specialists and certified nurse midwives to order home health services. Our legislation is supported by a broad coalition of organizations, including the AARP, the National Council on Aging, the American Geriatrics Society, the National Association for Home Care and Hospice, the American Nurses Association, the American Association of Nurse Practitioners, the American Academy of Physician Assistants, the American College of Nurse Midwives, and the Visiting Nurse Associations of America. I urge my colleagues to join us as cosponsors of this important legislation.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the text of the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 25, 2015.

Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. CHUCK SCHUMER,
U.S. Senate, Washington, DC.

DEAR SENATOR COLLINS AND SENATOR SCHUMER: Thank you for introducing the bipartisan Home Health Care Planning Improvement Act of 2015. We, the undersigned groups, pledge our continued support of your efforts to obtain passage of this important legislation in the 114th Congress. As you know, the bill authorizes nurse practitioners, clinical nurse specialists, certified nurse-midwives and physician assistants as eligible health care professionals who can certify patient eligibility for home health care services under Medicare. This critical

change would improve access to important home health care services, and potentially prevent additional hospital, sub-acute care facility and nursing home admissions—all of which are costly to the consumer, the taxpayer and Medicare.

The undersigned organizations are committed to ensuring that consumers have access to health care providers who are qualified, educated, and certified to provide high quality primary care, chronic care management, and other services that keep them living a high quality life, with dignity, in locations of their choice.

Although current law has long recognized advanced practice registered nurses and physician assistants as authorized Medicare providers, and allows these clinicians to certify eligibility for nursing home care for their patients, it precludes these same practitioners from certifying patient eligibility for home health care services. This is an unnecessary barrier to care and adds at least one more step in the process of accessing home health care services by requiring the provider to find a physician to certify eligibility. In addition, time delays to locate a physician to certify eligibility, particularly in rural and underserved areas, can result in an extended hospital stay or nursing home admission because the beneficiary could not be moved back to or remain at home without home health care services.

There are decades of data supporting the ability of these providers to deliver high quality care to people of all ages, including Medicare recipients with multiple chronic conditions. Advanced practice registered nurses are often the only care providers available in health professional shortage areas such as urban, rural, and frontier regions. Given the existing and future projected primary care physician shortages, and the coming of increased numbers of Medicare eligible patients, the need will be even greater for all qualified providers to be allowed to certify home health care eligibility.

The Home Health Care Planning Improvement Act would help to ensure that Medicare beneficiaries in need of home health care services whose providers are nurse practitioners, clinical nurse specialists, certified nurse midwives, and physician assistants would be able to directly access home health care by referral from their providers. This bill would provide beneficiaries continued access to care and increase the likelihood that they would experience better health and a higher quality of life. Additionally, outside experts assessed the impact of the bill earlier last year and projected a Medicare savings of $7.1 million in 2015 and up to a ten-year savings of $252.6 million. This analysis also notes the potential to reduce beneficiary admissions to and lengths of stay in institutional settings under the policy change.

We appreciate your continued leadership and are committed to working with you to ensure that this bipartisan legislation is passed and placed on the President's desk for signature at the first opportunity. The time is now to ensure that patients have timely access to the quality, cost effective care they need. For any questions, please contact governmentaffairs@aanp.org or 703–740–2529.

Thank you for your help.

Sincerely,

AARP, AFT Nurses and Health Professionals, AMDA-The Society for Post-Acute and Long-Term Care Medicine, Alzheimer's Foundation of America, American Academy of Nursing, American Academy of Physician Assistants, American Association of Colleges of Nursing, American Association of Heart Failure Nurses, American Association of Nurse Practitioners, American Association of Occupational Health Nurses, American College of Nurse-Midwives, American Geriatrics Society, American Nephrology Nurses' Association, American Nurses Association, American Organization of Nurse Executives.

American Pediatric Surgical Nurses Association, American Psychiatric Nurses Association, Association of Community Health Nursing Educators, Association of Public Health Nurses, Association of Rehabilitation Nurses, Center for Medicare Advocacy, Gerontological Advance Practice Nurses Association, International Society of Psychiatric-Mental Health Nurses, The Jewish Federations of North America, Justice in Aging, Leading Age, Medicare Rights Center, National Academy of Elder Law Attorneys, National Association for Home Care & Hospice.

National Association of Clinical Nurse Specialists, National Association of Neonatal Nurses, National Association of Neonatal Nurse Practitioners, National Association of Pediatric Nurse Practitioners, National Association of Professional Geriatric Care Managers, National Black Nurses Association, National Committee to Preserve Social Security and Medicare, National Consumer Voice for Quality Long-Term Care, National Council on Aging, National Organization of Nurse Practitioner Faculties, Organization for Associate Degree Nursing, OWL—The Voice of Women 40+, Public Health Nursing Section, American Public Health Association, VNAA—The Visiting Nurse Associations of America, Women's Institute for a Secure Retirement.

By Mr. DURBIN (for himself, Mr. NELSON, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. KLOBUCHAR):

S. 588. A bill to require the Consumer Product Safety Commission to establish a consumer product safety standard for liquid detergent packets to protect children under the age of five from injury or illness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Detergent Poisoning And Child Safety Act of 2015'' or the ''Detergent PACS Act of 2015''.

SEC. 2. SPECIAL PACKAGING AND OTHER REQUIREMENTS FOR LIQUID DETERGENT PACKETS.

(a) DEFINITIONS.—In this Act:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) CONSUMER PRODUCT.—The term ''consumer product'' has the meaning given such term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)).

(3) DETERGENT PACKET.—The term ''detergent packet'' means a consumer product that consists of a detergent enclosed in a water soluble outer layer.

(4) LIQUID DETERGENT PACKET.—The term ''liquid detergent packet'' means a consumer product that consists of a substantially liquid or gel detergent enclosed in a water soluble outer layer.

(5) SPECIAL PACKAGING.—The term ''special packaging'' has the meaning given that term in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471).

(b) SAFETY STANDARDS REQUIRED.—

(1) IN GENERAL.—Except as provided in subsection (c)(1), not later than 540 days after the date of the enactment of this Act, the Commission shall promulgate a final rule that establishes safety standards for liquid detergent packets to protect children who are younger than 5 years of age from injury or illness caused by exposure to such packets.

(2) ELEMENTS.—The final rule promulgated under paragraph (1) shall—

(A) require special packaging for liquid detergent packets;

(B) include standards to address the design and color of liquid detergent packets to—

(i) make them less attractive to children;

(ii) reduce the likelihood of exposure to detergent; and

(iii) otherwise reduce risks related to the ingestion or aspiration of, or ocular contact with, detergent and other potential injury risks of liquid detergent packets;

(C) include standards to address the composition of liquid detergent packets to make the consequences of exposure less severe; and

(D) prescribe warning labels that—

(i) adequately inform consumers of the potential risks of injury and death caused by liquid detergent packets;

(ii) are conspicuous and visible at the point of sale;

(iii) clarify hazard patterns, including known consequences of such hazards; and

(iv) identify actions needed to avoid injury.

(3) TREATMENT AS CONSUMER PRODUCT SAFETY STANDARD.—A rule promulgated under paragraph (1) shall be treated as a consumer product safety standard described in section 7(a) of the Consumer Product Safety Act (15 U.S.C. 2056(a)).

(4) RULEMAKING.—

(A) IN GENERAL.—A rule under paragraph (1) shall be promulgated in accordance with section 553 of title 5, United States Code.

(B) INAPPLICABILITY OF CERTAIN REQUIREMENTS.—Section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) shall not apply to a rulemaking under paragraph (1).

(c) ADOPTION OF VOLUNTARY STANDARD.—

(1) IN GENERAL.—Subsection (b)(1) shall not apply if the Commission determines that—

(A) a voluntary standard pertaining to liquid detergent packets manufactured or imported for use in the United States protects children as described in subsection (b)(1);

(B) such voluntary standard is or will be in effect not later than 1 year after the date of the enactment of this Act; and

(C) such voluntary standard is developed by ASTM International Subcommittee F15.71 on Liquid Laundry Packets, or such other entity as the Commission considers a successor to ASTM International Subcommittee F15.71.

(2) PUBLICATION OF DETERMINATION.—If the Commission makes a determination under paragraph (1), the Commission shall publish such determination in the Federal Register.

(3) TREATMENT OF VOLUNTARY STANDARD.—If the Commission determines that a voluntary standard meets the conditions in paragraph (1), such standard shall be treated as a consumer product safety standard described in section 7(a) of the Consumer Product Safety Act (15 U.S.C. 2056(a)) beginning on the date that is the later of—

(A) the date that is 180 days after the date of the publication under paragraph (2) of such determination; or

(B) the effective date specified in the voluntary standard.

(4) REVISION OF VOLUNTARY STANDARD.—

(A) NOTICE OF REVISION.—If a voluntary standard is treated as a consumer product safety standard under paragraph (3) and such standard is revised by ASTM International

after the Commission makes a determination under paragraph (1), ASTM International shall notify the Commission of such revision not later than 60 days after making such revision.

(B) TREATMENT OF REVISIONS.—A voluntary standard with respect to which the Commission receives notice under subparagraph (A) shall be treated as a consumer product safety standard described in section 7(a) of the Consumer Product Safety Act (15 U.S.C. 2056(a)), promulgated in lieu of the prior version, effective 180 days after the date the Commission is notified of the revision under subparagraph (A), unless not later than 90 days after receiving that notice the Commission determines that the revised voluntary standard does not meet the requirements of paragraph (1)(A), in which case the Commission shall continue to enforce the prior version.

(d) FUTURE RULEMAKING.—

(1) IN GENERAL.—The Commission may, at any time after promulgating a final rule under subsection (b)(1) or making a determination under subsection (c)(1), promulgate such rules in accordance with section 553 of title 5, United States Code, as the Commission considers appropriate to protect, to the maximum degree practicable, children as described in subsection (a)(1).

(2) TREATMENT AS CONSUMER PRODUCT SAFETY STANDARD.—A rule promulgated under paragraph (1) shall be treated as a consumer product safety standard described in section 7(a) of the Consumer Product Safety Act (15 U.S.C. 2056(a)).

(3) INAPPLICABILITY OF CERTAIN REQUIREMENTS.—Section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) shall not apply to a rulemaking under paragraph (1).

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on risks posed by detergent packets to young children and how the Commission is working to protect such children from such risks.

(2) MATTERS COVERED.—The report required by paragraph (1) shall include the following:

(A) A quantitative assessment of annual national pediatric exposure to detergent packets, including the number of exposure incidents, the means of exposure (whether by ingestion, aspiration, or ocular contact), the clinical effects of the exposures, and medical outcomes.

(B) An assessment as to whether the rule promulgated under subsection (b)(1) or the voluntary standard adopted under subsection (c), as the case may be, has been effective in protecting young children from injury or illness caused by exposure to detergent packets.

(C) Such recommendations for legislative or administrative action as the Commission may have to protect young children as described in subparagraph (B).

(3) PUBLICATION.—The Commission shall make the report required by paragraph (1) available to the public on Internet website of the Commission.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 596. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to further the restoration of the San Francisco Bay.

San Francisco Bay is truly a national treasure. Encompassing approximately 550 square miles, it is the largest estuary on the west coast, and is vital to the Nation for both ecological and economic reasons. It is home to more than 1,000 plant and wildlife species, roughly 77 percent of California's remaining perennial estuarine wetlands, and an important stopover for birds along the Pacific Flyway. Marshes around the bay help prevent flooding, protecting more than 40 cities in nine counties, one of the Nation's busiest seaports, and two international airports. The bay is critical to the region's economy, which if it were its own nation, would be the world's 19th largest economy.

Over the last 150 years, the water quality and health of the San Francisco Bay Estuary have been diminished by pollution, invasive species, loss of wetland habitat and other factors. The degradation has not only impacted fish and wildlife, but has also reduced the estuary's ability to support important economic activities such as commercial and sport fishing, shipping, agriculture, recreation, and tourism.

Federal funding in recent years has started the Bay's recovery process by investing in projects that improve water quality and restore critical habitat. These investments, $43 million between 2008 and 2015, were critical to leveraging $145 million from other partners. But much work remains.

That is why I am pleased to introduce the San Francisco Bay Restoration Act with Senator BOXER, Ranking Member of the Senate Environment and Public Works Committee. Companion legislation has also been introduced in the U.S. House of Representatives by Congresswoman JACKIE SPEIER.

This bill was first introduced in the 112th Congress. The Senate Committee on Environment and Public Works reported favorably on the bill in both the 112th and 113th Congresses and recommended its passage.

This bill recognizes the important restoration work that must be done to restore and protect the iconic San Francisco Bay. It authorizes $5 million a year for restoration work between 2015 and 2019, prioritizing funding for projects that will protect and restore vital estuarine habitat for migratory waterfowl, shorebirds, and wildlife; improve and restore water quality and rearing habitat for fish; and in turn reinvigorate recreation, tourism, and agricultural activities in and around the bay.

I urge my colleagues to join me in their support for this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the text of the bill was ordered to be printed in the RECORD, as follows:

S. 596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''San Francisco Bay Restoration Act''.

SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 123. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ANNUAL PRIORITY LIST.—The term 'annual priority list' means the annual priority list compiled under subsection (b).

''(2) COMPREHENSIVE PLAN.—The term 'comprehensive plan' means—

''(A) the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary; and

''(B) any amendments to that plan.

''(3) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the San Francisco Estuary Partnership, the entity that is designated as the management conference under section 320.

''(b) ANNUAL PRIORITY LIST.—

''(1) IN GENERAL.—After providing public notice, the Administrator shall annually compile a priority list identifying and prioritizing the activities, projects, and studies intended to be funded with the amounts made available under subsection (c).

''(2) INCLUSIONS.—The annual priority list compiled under paragraph (1) shall include—

''(A) activities, projects, or studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the approved comprehensive plan;

''(B) information on the activities, projects, programs, or studies specified under subparagraph (A), including a description of—

''(i) the identities of the financial assistance recipients; and

''(ii) the communities to be served; and

''(C) the criteria and methods established by the Administrator for selection of activities, projects, and studies.

''(3) CONSULTATION.—In developing the priority list under paragraph (1), the Administrator shall consult with and consider the recommendations of—

''(A) the Estuary Partnership;

''(B) the State of California and affected local governments in the San Francisco Bay estuary watershed; and

''(C) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Administrator determines to be appropriate.

''(c) GRANT PROGRAM.—

''(1) IN GENERAL.—Pursuant to section 320, the Administrator may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for activities, studies, or projects identified on the annual priority list.

''(2) MAXIMUM AMOUNT OF GRANTS; NON-FEDERAL SHARE.—

''(A) MAXIMUM AMOUNT OF GRANTS.—Amounts provided to any individual or entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any eligible activities that are to be carried out using those amounts.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any eligible activities that are carried out using amounts provided under this section shall be—

''(i) not less than 25 percent; and

''(ii) provided from non-Federal sources.

''(d) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $5,000,000 for each of fiscal years 2015 through 2019.

''(2) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for a fiscal year, the Administrator shall use not more than 5 percent to pay administrative expenses incurred in carrying out this section.

''(3) RELATIONSHIP TO OTHER FUNDING.—Nothing in this section limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

''(4) PROHIBITION.—No amounts made available under subsection (c) may be used for the administration of a management conference under section 320.''.

By Mr. TILLIS:

S. 597. A bill to amend section 706 of the Telecommunications Act of 1996 to provide that such section does not authorize the Federal Communications Commission to preempt the laws of certain States relating to the regulation of municipal broadband, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. TILLIS. Mr. President, I rise today to announce that along with my colleague in the House of Representatives, Representative MARSHA BLACKBURN, have introduced legislation that prohibits the Federal Communications Commission from pre-empting States with municipal broadband laws already on the books, or any other States that subsequently adopt such municipal broadband laws. The bill also includes a Sense of Congress stating that the FCC should not impose municipal broadband regulations on any state.

Earlier today, the FCC took an unprecedented and legally questionable step to allow Wilson, North Carolina, to ignore North Carolina law when expanding its municipal broadband network.

The North Carolina law the FCC preempted is intended to protect taxpayers and consumers from the financial risks we have seen many municipalities, including Wilson, face when venturing into broadband ventures that are best left to the private market to provide.

After witnessing how some local governments wasted taxpayer dollars and accumulated millions in debt through poor decision making, the legislatures of states like North Carolina and Tennessee passed commonsense, bipartisan laws that protect hardworking taxpayers and maintain the fairness of free-market competition. Representative BLACKBURN and I recognize the need for Congress to step in and take action to keep unelected bureaucrats from acting contrary to the expressed will of the American people through their State legislatures.

By Mr. CARDIN (for himself, Mr. CRAPO, and Mr. NELSON):

S. 598. A bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise in support of the bipartisan Chronic Kidney Disease Improvement in Research and Treatment Act of 2015, which I am introducing with Senators CRAPO and NELSON today. This legislation seeks to make a real difference in the lives of Americans suffering from kidney disease and end-stage renal disease.

Kidney disease is the 9th leading cause of death in the United States, and unfortunately, more than one in ten Americans today suffer from some form of kidney disease. More than 615,000 Americans are living with kidney failure or end-stage renal disease, which is an irreversible condition that can be fatal without a kidney transplant or life-sustaining dialysis. 430,000 patients in our country rely on life-sustaining dialysis care to survive.

This legislation seeks to promote research, expand patient choice, and improve care coordination for these hundreds of thousands of patients. Specifically, it would identify the gaps in research and improve the coordination of Federal research efforts. The bill would require the Government Accountability Office to submit a comprehensive report analyzing current federally funded research projects regarding chronic kidney disease and identifying knowledge gaps that are not being addressed through those research efforts. It would also direct the Department of Health and Human Services to evaluate and report on the biological, social, and behavioral factors related to kidney disease and efforts to slow the progression of disease in minority populations disproportionately affected by this disease.

This legislation would improve access to pre-dialysis kidney education programs to better manage patients' kidney disease and even prevent kidney failure in some cases. Nephrologists and other health professionals would be incentivized to work in underserved rural and urban areas, and current payment policies would be modified to encourage home dialysis, which is not incentivized under the current Medicare payment structure. Patients with acute kidney injury would also be allowed to receive treatments through dialysis providers, therefore reducing costs associated with care provided in the more expensive hospital outpatient setting. Perhaps most importantly, our legislation would establish a voluntary coordinated care program that would incentivize doctors and dialysis facilities to work together to improve the coordination of care and reduce costly hospitalization.

Lastly, the bill would expand the options for patients by allowing individuals diagnosed with kidney failure to enroll in the Medicare Advantage program and reauthorizing on a permanent basis the Medicare Advantage Special Needs Plan for patients with kidney failure.

I urge my colleagues to join me, Senator CRAPO and Senator NELSON in supporting the Chronic Kidney Disease Improvement in Research and Treatment Act of 2015, which will improve the care of patients who suffer from kidney disease and end-stage renal disease.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the text of the bill was ordered to be printed in the RECORD, as follows:

S. 598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Chronic Kidney Disease Improvement in Research and Treatment Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—IMPROVING UNDERSTANDING OF CHRONIC KIDNEY DISEASE THROUGH EXPANDED RESEARCH AND COORDINATION
Sec. 101. Identifying gaps in chronic kidney disease research.
Sec. 102. Coordinating research on chronic kidney disease.
Sec. 103. Understanding the progression of kidney disease and treatment of kidney failure in minority populations.
Sec. 104. Identifying Medicare payment disincentives for transplant and post-transplant care.
TITLE II—PROMOTING ACCESS TO CHRONIC KIDNEY DISEASE TREATMENTS
Sec. 201. Increasing access to Medicare kidney disease education benefit.
Sec. 202. Improving access to chronic kidney disease treatment in underserved rural and urban areas.
Sec. 203. Promoting access to home dialysis treatments.
Sec. 204. Expanding access for patients with acute kidney injury.
TITLE III—CREATING ECONOMIC STABILITY FOR PROVIDERS CARING FOR INDIVIDUALS WITH CHRONIC KIDNEY DISEASE
Sec. 301. Stabilizing Medicare payments for services provided to beneficiaries with stage V chronic kidney disease receiving dialysis services.
Sec. 302. Providing individuals with kidney failure access to managed care and coordinated care programs.

TITLE I—IMPROVING UNDERSTANDING OF CHRONIC KIDNEY DISEASE THROUGH EXPANDED RESEARCH AND COORDINATION

SEC. 101. IDENTIFYING GAPS IN CHRONIC KIDNEY DISEASE RESEARCH.

(a) REPORT.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall develop and submit to Congress a comprehensive report assessing the adequacy of Federal expenditures in chronic kidney disease research relative to Federal expenditures for chronic kidney disease care.

(b) CONTENTS.—The report required by this section shall—

(1) analyze the current chronic kidney disease research projects being funded by Federal agencies;

(2) identify, including by surveying the kidney care community, areas of chronic kidney disease knowledge gaps that are not part of current Federal research efforts;

(3) report on the level of Federal expenditures on kidney research as compared to the amount of Federal expenditures on treating individuals with chronic kidney disease; and

(4) identify areas of kidney failure knowledge gaps in research to assess treatment patterns associated with providing care to minority populations that are disproportionately affected by kidney failure.

SEC. 102. COORDINATING RESEARCH ON CHRONIC KIDNEY DISEASE.

(a) INTERAGENCY COMMITTEE.—The Secretary of Health and Human Services shall establish and maintain an interagency committee for the purpose of improving the coordination of chronic kidney disease research.

(b) REPORTS.—For the purpose described in subsection (a), the interagency committee established under such subsection shall issue public reports that—

(1) include a strategic plan, including recommendations for—

(A) improving communication and coordination among Federal agencies;

(B) procedures for monitoring Federal chronic kidney disease research activities; and

(C) ways to maximize the efficiency of the Federal chronic kidney disease research investment and minimize the potential for unnecessary duplication;

(2) include a portfolio analysis that provides information on chronic kidney disease research projects, organized by the strategic plan objectives; and

(3) address such other topics as the interagency committee determines appropriate.

(c) MEETINGS.—The interagency committee established under subsection (a) shall meet not less frequently than semi-annually.

SEC. 103. UNDERSTANDING THE PROGRESSION OF KIDNEY DISEASE AND TREATMENT OF KIDNEY FAILURE IN MINORITY POPULATIONS.

Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) complete a study on—

(A) the social, behavioral, and biological factors leading to kidney disease;

(B) efforts to slow the progression of kidney disease in minority populations that are disproportionately affected by such disease; and

(C) treatment patterns associated with providing care, under the Medicare program under title XVIII of the Social Security Act, the Medicaid program under title XIX of such Act, and through private health insurance, to minority populations that are disproportionately affected by kidney failure; and

(2) submit to Congress a report on the results of such study.

SEC. 104. IDENTIFYING MEDICARE PAYMENT DISINCENTIVES FOR TRANSPLANT AND POST-TRANSPLANT CARE.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on any disincentives in the payment systems under the Medicare program under title XVIII of the Social Security Act that create barriers to kidney transplants and post-transplant care for beneficiaries with end-stage renal disease.

TITLE II—PROMOTING ACCESS TO CHRONIC KIDNEY DISEASE TREATMENTS

SEC. 201. INCREASING ACCESS TO MEDICARE KIDNEY DISEASE EDUCATION BENEFIT.

(a) IN GENERAL.—Section 1861(ggg) of the Social Security Act (42 U.S.C. 1395x(ggg)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting '' or stage V'' after ''stage IV'';

(B) in subparagraph (B), by inserting ''or of a physician assistant, nurse practitioner, or clinical nurse specialist (as defined in section 1861(aa)(5)) assisting in the treatment of the individual's kidney condition'' after ''kidney condition''; and

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) in subparagraph (A)—

(i) by striking ''(A)'' after ''(2)'';

(ii) by striking ''and'' at the end of clause (i);

(iii) by striking the period at the end of clause (ii) and inserting ''; and'';

(iv) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(v) by adding at the end the following:

''(C) a renal dialysis facility subject to the requirements of section 1881(b)(1) with personnel who—

''(i) provide the services described in paragraph (1); and

''(ii) is a physician (as defined in subsection (r)(1)) or a physician assistant, nurse practitioner, or clinical nurse specialist (as defined in subsection (aa)(5)).''.

(b) PAYMENT TO RENAL DIALYSIS FACILITIES.—Section 1881(b) of such Act (42 U.S.C. 1395rr(b)) is amended by adding at the end the following new paragraph:

''(15) For purposes of paragraph (14), the single payment for renal dialysis services under such paragraph shall not take into account the amount of payment for kidney disease education services (as defined in section 1861(ggg)). Instead, payment for such services shall be made to the renal dialysis facility on an assignment-related basis under section 1848.''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to kidney disease education services furnished on or after January 1, 2016.

SEC. 202. IMPROVING ACCESS TO CHRONIC KIDNEY DISEASE TREATMENT IN UNDERSERVED RURAL AND URBAN AREAS.

(a) DEFINITION OF PRIMARY CARE SERVICES.—Section 331(a)(3)(D) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(D)) is amended by inserting ''and includes renal dialysis services'' before the period at the end.

(b) NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM.—Section 338A(a)(2) of the Public Health Service Act (42 U.S.C. 254l(a)(2)) is amended by inserting '', including nephrologists and non-physician practitioners providing renal dialysis services'' before the period at the end.

(c) NATIONAL HEALTH SERVICE CORPS LOAN REPAYMENT PROGRAM.—Section 338B(a)(2) of the Public Health Service Act (42 U.S.C. 254l–1(a)(2)) is amended by inserting '', including nephrologists and non-physician practitioners providing renal dialysis services'' before the period at the end.

SEC. 203. PROMOTING ACCESS TO HOME DIALYSIS TREATMENTS.

Section 1834(m)(4)(C)(ii) of the Social Security Act (42 U.S.C. 1395m(m)(4)(C)(ii)) is amended by adding at the end the following new subclause:

''(IX) A renal dialysis facility (as defined in section 1881).''.

SEC. 204. EXPANDING ACCESS FOR PATIENTS WITH ACUTE KIDNEY INJURY.

Section 1881(b) of the Social Security Act (42 U.S.C. 1395rr(b)) is amended—

(1) in paragraph (1), by inserting ''or acute kidney injury'' after ''individuals who have been determined to have end stage renal disease'';

(2) in paragraph (2)(A), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(3) in paragraph (2)(B), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(4) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(5) in paragraph (11)(A), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(6) in paragraph (11)(B), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(7) in paragraph (14)(B)—

(A) in clause (ii), by inserting ''or acute kidney injury'' after ''end stage renal disease'';

(B) in clause (iii), by inserting ''or acute kidney injury'' after ''end stage renal disease''; and

(C) in clause (iv), by inserting ''or acute kidney injury'' after ''end stage renal disease''; and

(8) in paragraph (14)(H)(i), by inserting ''or acute kidney injury'' after ''end stage renal disease''.

TITLE III—CREATING ECONOMIC STABILITY FOR PROVIDERS CARING FOR INDIVIDUALS WITH CHRONIC KIDNEY DISEASE

SEC. 301. STABILIZING MEDICARE PAYMENTS FOR SERVICES PROVIDED TO BENEFICIARIES WITH STAGE V CHRONIC KIDNEY DISEASE RECEIVING DIALYSIS SERVICES.

Section 1881(b)(14) of the Social Security Act (42 U.S.C. 1395rr(b)(14)) is amended—

(1) in subparagraph (D), in the matter preceding clause (i), by striking ''Such system'' and inserting ''Subject to subparagraph (J), such system''; and

(2) by adding at the end the following new subparagraph:

''(J)(i) For payment for renal dialysis services furnished on or after January 1, 2016, under the system under this paragraph—

''(I) the payment adjustment described in clause (i) of subparagraph (D) shall not take into account comorbidities;

''(II) the payment adjustment described in clause (ii) of such subparagraph shall not be included;

''(III) the standardization factor described in the final rule published in the Federal Register on November 8, 2012 (77 Fed. Reg. 67470), shall be established using the most currently available data (and not historical data) and adjusted on an annual basis, based on such available data, to account for any change in utilization of drugs and any modification in adjustors applied under this paragraph; and

''(IV) the Secretary shall take into account reasonable costs consistent with paragraph (2)(B) when calculating such payments.

''(ii) Not later than January 1, 2016, the Secretary shall amend the ESRD facility cost report to—

''(I) include the per treatment network fee (as described in paragraph (7)) as an allowable cost; and

''(II) eliminate the limitation for reporting medical director fees on such reports in order to take into account the wages of a board-certified nephrologist.''.

SEC. 302. PROVIDING INDIVIDUALS WITH KIDNEY FAILURE ACCESS TO MANAGED CARE AND COORDINATED CARE PROGRAMS.

(a) EXPANDING ACCESS TO MEDICARE ADVANTAGE.—

(1) ELIGIBILITY UNDER MEDICARE ADVANTAGE.—

(A) IN GENERAL.—Section 1851(a)(3) of the Social Security Act (42 U.S.C. 1395w–21(a)(3)) is amended—

(i) by striking subparagraph (B); and

(ii) by striking ''ELIGIBLE INDIVIDUAL.—'' and all that follows through ''In this title''

and inserting ''ELIGIBLE INDIVIDUAL.—In this title''.

(B) CONFORMING AMENDMENT.—Section 1852(b)(1) of the Social Security Act (42 U.S.C. 1395w–22(b)(1)) is amended—

(i) by striking subparagraph (B); and

(ii) by striking ''BENEFICIARIES.—'' and all that follows through ''A Medicare+Choice organization'' and inserting ''BENEFICIARIES.—A Medicare Advantage organization''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply with respect to plan years beginning on or after January 1, 2016.

(2) EDUCATION.—Section 1851(d)(2)(A)(iii) of the Social Security Act (42 U.S.C. 1395w–21(d)(2)(A)(iii)) is amended by inserting before the period at the end the following '', including any additional information that individuals determined to have end stage renal disease may need to make informed decisions with respect to such an election''.

(3) QUALITY METRICS.—Section 1852(e)(3)(A) of the Social Security Act (42 U.S.C. 1395w–22(e)(3)(A)) is amended by adding at the end the following new clause:

''(v) REQUIREMENTS WITH RESPECT TO INDIVIDUALS WITH ESRD.—In addition to the data required to be collected, analyzed, and reported under clause (i) and notwithstanding the limitations under subparagraph (B), as part of the quality improvement program under paragraph (1), each MA organization shall provide for the collection, analysis, and reporting of data, determined in consultation with the kidney care community, that permits the measurement of health outcomes and other indices of quality with respect to individuals determined to have end stage renal disease.''.

(b) PERMANENT EXTENSION OF MEDICARE ADVANTAGE ESRD SPECIAL NEEDS PLANS AUTHORITY.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by inserting '', in the case of a specialized MA plan for special needs individuals who have not been determined to have end stage renal disease,'' before ''for periods before January 1, 2017''.

(c) VOLUNTARY ESRD COORDINATED CARE GAINSHARING PROGRAM.—

(1) IN GENERAL.—Section 1881(b) of the Social Security Act (42 U.S.C. 1395rr(b)) is amended by adding at the end the following new paragraph:

''(15)(A) Not later than January 1, 2017, the Secretary shall, in accordance with this paragraph, establish an ESRD Care Coordination gainsharing program for nephrologists, renal dialysis facilities, and providers of services that develop coordinated care organizations to provide a full range of clinical and supportive services (as described in subparagraph (D)) to individuals determined to have end stage renal disease.

''(B) Under such program, subject to subparagraph (C), the payment amounts renal dialysis facilities and providers of services described in subparagraph (A) would otherwise receive under paragraph (14) and nephrologists described in subparagraph (A) would otherwise receive under section 1848 with respect to dialysis services furnished by such a facility, provider, or nephrologist during a year, shall be increased by a portion of the amount (as determined by the Secretary) of actual reductions in expenditures under this title attributable to the coordinated care organization developed by such facility, provider, or nephrologist involved, taking into account non-dialysis expenditures under parts A and B, during the preceding calendar year. The payment amount under this subparagraph shall be provided to a nephrologist, renal dialysis facility, and provider of services that developed the coordinated care organization not later than March 31 of the year after the year during which such services are provided by such nephrologist, facility, or provider.

''(C) The aggregate incentive payment amounts provided under such program for a year may not exceed the amount equal to 2 percent less than the estimated total amount of non-dialysis expenditures under parts A and B for 2017 for items and services that are not related to dialysis or transplant services.

''(D) For purposes of subparagraph (A), the full range of clinical and supportive services includes at least the following:

''(i) Primary care and other preventative services.

''(ii) Specialty care for co-morbidities or non-renal acute conditions, including at least podiatry, cardiology, and orthopedics.

''(iii) Vascular access.

''(iv) Laboratory testing and diagnostic imaging.

''(v) Pharmacy care management.

''(vi) Patient, family, and caregiver education.

''(vii) Psychiatric, behavioral therapy, and counseling services.

''(E) In providing payment incentive amounts under such program, the Secretary shall apply a risk adjustment methodology that—

''(i) uses risk adjuster factors applied under part C; and

''(ii) adjusts such payments to exclude the top 2 percent of outliers.

''(F) In establishing such program, the Secretary shall ensure that each of the following is satisfied:

''(i) The program allows for all types and sizes of renal dialysis facilities and providers of services described in subparagraph (A), including profit and not-for-profit, urban and rural, as well as all other types and sizes of such facilities and providers, to participate.

''(ii) The program rewards high quality, efficient facilities and providers through gainsharing.

''(iii) For purposes of determining the actual reductions in expenditures under this title attributable to a coordinated care organization described in subparagraph (A), the program includes a market-based benchmark system that will not be rebased against which such expenditures shall be compared.

''(iv) The program results in reductions of expenditures under parts A and B for services that are not dialysis-related services.

''(v) The program allows new applicants to participate in the program after the initial implementation period.

''(vi) The program establishes clear quality metrics in consultation with the kidney care community.

''(vii) The program provides for waivers of Federal laws or requirements, in consultation with interested stakeholders.

''(viii) Under such program the Secretary attributes individuals described in subparagraph (A) who receive treatment through a care coordination organization described in such subparagraph to such organization rather than to any other payment model that requires beneficiary attribution.

''(ix) Under such program the Secretary provides quarterly Medicare parts A and B claims data to facilities and providers described in subparagraph (A) participating in such program.

''(G) Not later than 3 years after the date of the implementation of the ESRD Care Coordination gainsharing program, the Secretary shall submit to Congress a report on the waivers granted under subparagraph (F)(vii) and the effectiveness of such waivers in allowing the coordination of care.''.

(2) CONFORMING AMENDMENTS.—

(A) SECTION 1881.—Section 1881(b) of the Social Security Act (42 U.S.C. 1395rr(b)) is amended—

(i) in each of paragraphs (12)(A) and (13)(A), by striking ''paragraph (14)'' and inserting ''paragraphs (14) and (15)''; and

(ii) in paragraph (14)(A)(i), by inserting ''and paragraph (15)'' after ''Subject to subparagraph (E)''.

(B) SECTION 1848.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended by adding at the end the following new subsection:

''(q) VOLUNTARY ESRD COORDINATED CARE PROGRAM.—For provisions related to incentive payment amounts to nephrologists under the ESRD Care Coordination gainsharing program, see section 1881(b)(15).''.

(d) PATIENT INFORMATION REQUIREMENT.—The Secretary of Health and Human Services shall require hospitals that furnish items and services to individuals entitled to benefits under part A of title XVIII of the Social Security Act or eligible for benefits under part B of such title and who subsequently receive dialysis services at a renal dialysis facility (as defined in section 1881 of such Act (42 U.S.C. 1395rr)) to provide to such facility health information with respect to such individual, including a discharge summary and co-morbidity information, upon request of the facility, not later than 7 days after notification by the hospital of the provision of such services to such individual or of the determination that such individual has end stage renal disease, as applicable.

Mr. CRAPO. Mr. President, I rise to speak on the importance of the Chronic Kidney Disease Improvement in Research and Treatment Act being introduced today. This legislation will not only pave the way for enhanced research opportunities and allow physicians greater flexibility in how and where they treat patients, but, importantly, will provide increased access to care for those with chronic and end-stage kidney disease, particularly in rural and underserved areas. As our Nation continues to face dangerously high levels of debt, it is imperative we prioritize initiatives such as this while simultaneously ensuring we do not worsen our already fragile fiscal picture. Prior to passage, as with any piece of legislation, a responsible offset that is budget neutral must be included.

By Mr. CARDIN (for himself, Mr. TOOMEY, and Ms. COLLINS):

S. 599. A bill to extend and expand the Medicaid emergency psychiatric demonstration project; to the Committee on Finance.

Mr. CARDIN. Mr. President, today Senators TOOMEY and COLLINS and I are introducing the Improving Access to Emergency Psychiatric Care Act of 2015, which will build on the current 3-year Medicaid Emergency Psychiatric Demonstration Project to provide timely and cost-effective treatment to people who are experiencing an emergency psychiatric crisis.

We know that emergency psychiatric care delivered in general hospitals and freestanding psychiatric hospitals is a life-saving service for individuals with severe mental illnesses. In addition, a Government Accountability Office report, GAO–09–347, on hospital emergency departments concluded the difficulties in transferring, admitting, or

discharging psychiatric patients from the emergency department contribute to overcrowding in our Nation's emergency rooms.

Community-based psychiatric hospitals, like Sheppard Pratt Health System in my home State of Maryland, could help relieve these back-ups in emergency departments; however, due to a longstanding Medicaid statutory provision called the Institution for Mental Disease, IMD, exclusion, patients receiving care in these freestanding psychiatric hospitals are not covered if the patients are between the ages of 21 and 64, and the hospitals cannot get Medicaid Federal matching payments for these services.

In response to this problem, bipartisan legislation was first introduced in the Senate in 2003 by Senators Olympia Snowe and Kent Conrad, who were joined by Senators SUSAN COLLINS and RON WYDEN, to address this problem by allowing Federal Medicaid matching payments to freestanding psychiatric hospitals for emergency psychiatric cases. In 2010, based on this legislation, Congress authorized a three-year demonstration that was intended to expand the number of emergency inpatient psychiatric beds available in communities. Currently, 11 States, including my State of Maryland, and the District of Columbia are participating in this demonstration.

The purpose of the demonstration is to determine whether allowing Federal Medicaid matching payments to freestanding psychiatric hospitals for emergency psychiatric cases improves access to and quality of medically necessary care, improves discharge planning for demonstration beneficiaries, and has a positive impact on Medicaid cost and utilization. The preliminary data shows that, of the total number of Medicaid beneficiaries admitted to these freestanding psychiatric hospitals, 84 percent had just one admission during the entire first year of the demonstration. The average length of stay was a short 8.2 days and, in 88 percent of the admissions, the patients were discharged home.

The current demonstration project would end no later than December 31, 2015; however, the final evaluation of this project by CMS is not expected to be completed until 1 year later, in the fall of 2016.

The purpose of the bipartisan legislation we are introducing today is to allow the Secretary of Health and Human Services to continue the current demonstration project until the Secretary submits a report to Congress with her recommendations, based on the final evaluation, regarding whether the current demonstration should be extended for an additional 3 years and whether additional States should be allowed to participate in the demonstration, or September 30, 2016, whichever occurs first.

Importantly, in order to extend the current demonstration project until the report is submitted, the Secretary must determine that overall Medicaid spending in the participating state is not expected to increase during the extension of the demonstration project for a maximum of nine months, and the Chief Actuary of CMS must also certify that the extension is not projected to result in an increase in net Medicaid program spending. If, in her report, the Secretary recommends extending the demonstration project for an additional three years and/or expanding it to include other States, the same requirements regarding Medicaid spending would need to be met, ensuring budget neutrality. At the completion of those additional 3 years, the demonstration project would come to a close unless Congress passes authorizing legislation to continue and/or expand the demonstration project.

We have a real crisis in this country for millions of Americans who cannot get timely access to life-saving emergency inpatient psychiatric treatment. The Medicaid program is a vital source of support for people with mental disorders, funding more than 50 percent of state and local spending on mental health services. This outdated IMD policy is penalizing the disabled and poor. It is also contributing to inefficiencies in our health care system and likely adding to the cost of care. The legislation introducing today would help ensure that the neediest have access to hospital care when they need it and strengthen our Nation's health care system. It is an incremental, targeted approach with built-in cost safeguards, so I hope my colleagues will join with me to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improving Access to Emergency Psychiatric Care Act''.

SEC. 2. EXTENSION AND EXPANSION OF MEDICAID EMERGENCY PSYCHIATRIC DEMONSTRATION PROJECT.

(a) IN GENERAL.—Subsection (d) of section 2707 of Public Law 111–148 (42 U.S.C. 1396a note) is amended to read as follows:

''(d) LENGTH OF DEMONSTRATION PROJECT.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the demonstration project established under this section shall be conducted for a period of 3 consecutive years.

''(2) TEMPORARY EXTENSION OF PARTICIPATION ELIGIBILITY FOR SELECTED STATES.—

''(A) IN GENERAL.—Subject to paragraph (3), a State selected as an eligible State to participate in the demonstration project on or prior to March 13, 2012, shall, upon the request of the State, be permitted to continue to participate in the demonstration project through the date described in subparagraph (B) if—

''(i) the Secretary determines that the continued participation of the State in the demonstration project is not expected to increase spending under title XIX of the Social Security Act; and

''(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that such extension for that State is projected to reduce (or is projected not to result in any increase in) net program spending under title XIX of the Social Security Act.

''(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

''(i) the date on which Secretary submits the recommendations required under subsection (f)(3); or

''(ii) September 30, 2016.

''(3) EXTENSION AND EXPANSION OF DEMONSTRATION PROJECT.—

''(A) ADDITIONAL EXTENSION.—Taking into account the recommendations submitted to Congress pursuant to subsection (f)(3), the Secretary may, if the Secretary determines that extension and expansion of the demonstration project satisfies the criteria for the temporary extension under subparagraphs (A) and (B) of paragraph (2)—

''(i) extend the demonstration project through December 31, 2019; and

''(ii) permit any eligible State participating in the demonstration project as of the date such recommendations are submitted to continue to participate in the project.

''(B) OPTION FOR EXPANSION TO ADDITIONAL STATES.—Taking into account the recommendations submitted to Congress pursuant to subsection (f)(3), the Secretary may expand (including on a nationwide basis) the number of eligible States participating in the demonstration project during the extension period established under subparagraph (A) if, with respect to any new eligible State—

''(i) the Secretary determines that the participation of the State in the demonstration project is not expected to increase spending under title XIX of the Social Security Act; and

''(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that the participation of the State in the demonstration project is projected to reduce (or is projected not to result in any increase in) net program spending under title XIX of the Social Security Act.

''(4) AUTHORITY TO ENSURE BUDGET NEUTRALITY.—The Secretary annually shall review each participating State's demonstration project expenditures to ensure compliance with the requirements of paragraphs (2)(A), (2)(B), (3)(B)(i), and (3)(B)(ii) (as applicable). If the Secretary determines with respect to a State's participation in the demonstration project that the State's net program spending under title XIX of the Social Security Act has increased as a result of the State's participation in the project, the Secretary shall treat the demonstration project excess expenditures of the State as an overpayment under title XIX of the Social Security Act.''.

(b) FUNDING.—Subsection (e) of section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in the subsection heading, by striking ''LIMITATIONS ON FEDERAL'';

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''5-YEAR''; and

(B) by striking ''through December 31, 2015'' and inserting ''until expended'';

(3) by striking paragraph (3);

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(5) in paragraph (3) (as so redesignated), by striking ''and the availability of funds'' and inserting ''(other than States deemed to be eligible States through the application of subsection (c)(4))''; and

(6) in paragraph (4) (as so redesignated)—

(A) in the first sentence—

(i) by inserting ''(other than a State deemed to be an eligible State through the

application of subsection (c)(4))'' after ''eligible State''; and

(ii) by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(B) by inserting after the first sentence the following ''In addition to any payments made to an eligible State under the preceding sentence, the Secretary shall, during any period in effect under paragraph (2) or (3) of subsection (d), or during any period in which a law described in subsection (f)(4)(C) is in effect, pay each eligible State (including any State deemed to be an eligible State through the application of subsection (c)(4)), an amount each quarter equal to the Federal medical assistance percentage of expenditures in the quarter during such period for medical assistance described in subsection (a). Payments made to States under this paragraph shall be considered to have been made under, and are subject to, the requirements of section 1903 of the Social Security Act (42 U.S.C. 1396b).''.

(c) RECOMMENDATIONS TO CONGRESS.—Subsection (f) of section 2707 of such Act (42 U.S.C. 1396a note) is amended by adding at the end the following:

''(3) RECOMMENDATION TO CONGRESS REGARDING EXTENSION AND EXPANSION OF PROJECT.—Not later than September 30, 2016, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

''(A) whether the demonstration project should be continued after December 31, 2016; and

''(B) whether the demonstration project should be expanded (including on a nationwide basis).

''(4) RECOMMENDATION TO CONGRESS REGARDING PERMANENT EXTENSION AND NATIONWIDE EXPANSION.—

''(A) IN GENERAL.—Not later than April 1, 2019, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

''(i) whether the demonstration project should be permanently continued after December 31, 2019, in 1 or more States; and

''(ii) whether the demonstration project should be expanded (including on a nationwide basis).

''(B) REQUIREMENTS.—Any recommendation submitted under subparagraph (A) to permanently continue the project in a State, or to expand the project to 1 or more other States (including on a nationwide basis) shall include a certification from the Chief Actuary of the Centers for Medicare & Medicaid Services that permanently continuing the project in a particular State, or expanding the project to a particular State (or all States) is projected to reduce (or is projected not to result in any increase in) net program spending under title XIX of the Social Security Act. If the Secretary determines with respect to a State's participation in the demonstration project that net program spending under title XIX of such Act has increased as a result of the project, the Secretary shall treat the demonstration project excess expenditures of the State as an overpayment under title XIX of the Social Security Act.

''(C) CONGRESSIONAL APPROVAL REQUIRED.—The Secretary shall not permanently continue the demonstration project in any State after December 31, 2019, or expand the demonstration project to any additional State after December 31, 2019, unless Congress enacts a law approving either or both such actions.

''(5) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Centers for Medicare & Medicaid Services Program Management Account to carry out this subsection, $100,000 for fiscal year 2015, to remain available until expended.''.

(d) CONFORMING AMENDMENTS.—Section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''An eligible State'' and inserting ''Except as otherwise provided in paragraph (4), an eligible State'';

(B) in paragraph (3), by striking ''A State shall'' and inserting ''Except as otherwise provided in paragraph (4), a State shall''; and

(C) by adding at the end the following:

''(4) NATIONWIDE AVAILABILITY.—In the event that the Secretary makes a recommendation pursuant to subsection (f)(4) that the demonstration project be expanded on a national basis, any State that has submitted or submits an application pursuant to paragraph (2) shall be deemed to have been selected to be an eligible State to participate in the demonstration project.''; and

(2) in the heading for subsection (f), by striking ''AND REPORT'' and inserting '', REPORT, AND RECOMMENDATIONS''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 88—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. ISAKSON, Mr. DURBIN, Ms. MURKOWSKI, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. PAUL, Mr. MERKLEY, Mr. COONS, Mr. PORTMAN, Ms. STABENOW, Mr. MURPHY, Mr. WICKER, Ms. AYOTTE, Mr. BURR, Mr. CARDIN, Mr. REED, Mr. PERDUE, Mr. TILLIS, Mr. PETERS, and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 88

Whereas in 1776, people imagined the United States as a new country dedicated to the proposition stated in the Declaration of Independence that ''all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness . . .'';

Whereas the first Africans were brought involuntarily to the shores of America as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas in 2015, the vestiges of these injustices and inequalities remain evident in the society of the United States;

Whereas in the face of injustices, people of the United States of good will and of all races have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have courageously fought for the rights and freedom of African Americans;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Constance Baker Motley, James Baldwin, James Beckwourth, Clara Brown, Ralph Bunche, Shirley Chisholm, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Alex Haley, Dorothy Height, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Martin Luther King, Jr., the Tuskegee Airmen, Thurgood Marshall, Rosa Parks, Bill Pickett, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Homer Plessy, the Greensboro Four, Maya Angelou, Arthur Ashe Jr., Booker T. Washington, Stephanie Tubbs Jones, Hiram Revels, and Blanche Bruce, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancements of the United States, including the westward expansion;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of government and military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the ''Father of Black History'', to enhance knowledge of Black history through the Journal of Negro History, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievement of Black people of the United States;

Whereas Dr. Carter G. Woodson stated: ''We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.' '';

Whereas since the founding of the United States, the country imperfectly progressed towards noble goals; and

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach such ideals but often failing, and then struggling to come to terms with the disappointment of such failure, before committing to trying again: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided Nation, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as ''one Nation . . . indivisible, with liberty and justice for all.''.

SENATE RESOLUTION 89—CONGRATULATING THE OREGON SHAKESPEARE FESTIVAL ON ITS 80TH YEAR

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 89

Whereas 2015 marks the 80th anniversary of the Oregon Shakespeare Festival, a major theater arts organization in Ashland, Oregon, founded by Angus L. Bowmer in 1935;

Whereas the Oregon Shakespeare Festival is one of the oldest and largest professional nonprofit theaters in the United States;

Whereas Samuel Johnson wrote that William Shakespeare is ''above all writers, at least above all modern writers . . . the poet that holds up to his readers a faithful mirror of manners and of life'';

Whereas William Shakespeare has had an extraordinary impact on culture and politics in the United States, including in the Senate;

Whereas the Tony Award-winning Oregon Shakespeare Festival includes performances not only of the works of Shakespeare but also of the works of classic and contemporary playwrights;

Whereas since its founding, the Oregon Shakespeare Festival has presented, on its Ashland, Oregon stages, 29,300 performances to more than 15,000,000 audience members;

Whereas the Oregon Shakespeare Festival serves as a cornerstone of the economy of southwest Oregon and the entire Pacific Northwest, providing jobs for more than 500 individuals and nearly 700 volunteers and attracting tourists throughout the United States and the world; and

Whereas the Oregon Shakespeare Festival is committed to the inclusion of diverse people, ideas, cultures, and traditions: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Oregon Shakespeare Festival on its 80th year;

(2) recognizes and commends the cultural, economic, and social value provided by the work of the Oregon Shakespeare Festival; and

(3) expresses support for the continued success of the Oregon Shakespeare Festival.

SENATE RESOLUTION 90—DESIGNATING FEBRUARY 2015 AS ''AMERICAN HEART MONTH'' AND FEBRUARY 6, 2015, AS ''NATIONAL WEAR RED DAY''

Ms. HIRONO (for herself, Ms. MURKOWSKI, Mrs. CAPITO, Ms. HEITKAMP, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Mrs. BOXER, Ms. STABENOW, Ms. MIKULSKI, Ms. CANTWELL, Ms. COLLINS, Ms. AYOTTE, Mrs. SHAHEEN, Mrs. MURRAY, Mrs. FISCHER, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 90

Whereas heart disease affects men, women, and children of every age and race in the United States;

Whereas heart disease continues to be the leading cause of death in the United States, taking the lives of approximately 600,000 individuals in the United States each year and accounting for 1 in 4 deaths in the United States;

Whereas congenital heart defects are the most common birth defect in the United States, as well as the leading killer of infants with birth defects;

Whereas more than 1 in 3 adult men and women have some form of cardiovascular disease;

Whereas every year an estimated 735,000 individuals in the United States have a heart attack;

Whereas heart disease and stroke account for $320,000,000,000 in health care expenditures and lost productivity annually;

Whereas heart disease and stroke will account for $918,000,000,000 in health care expenditures and lost productivity annually by 2030;

Whereas individuals in the United States have made great progress in reducing the death rate for coronary heart disease, but this progress has been more modest with respect to such death rate of women and minorities;

Whereas many people do not recognize that heart disease is the number 1 killer of women in the United States, taking the lives of more than 290,000 such women in 2010, and nearly 2/3 of women who unexpectedly die of heart disease have no previous symptoms of disease;

Whereas nearly half of all African-American adults have some form of cardiovascular disease, including 48 percent of African-American women and 46 percent of African-American men;

Whereas many minority women, including African-American, Hispanic, Asian-American, and Native-American women and women from indigenous populations, have a greater prevalence of risk factors or are at a higher risk of death from heart disease, stroke, and other cardiovascular diseases, but such women are less likely to know of this risk;

Whereas between 1965 and 2015, treatment of cardiovascular disease for women has largely been based on medical research on men;

Whereas due to the differences in heart disease between males and females, more research and data on the effects of heart disease treatments for women is vital;

Whereas extensive clinical and statistical studies have identified major and contributing factors that increase the risk of heart disease;

Whereas the major risk factors, identified by such studies, include high blood pressure, high blood cholesterol, smoking tobacco products, exposure to tobacco smoke, physical inactivity, obesity, and diabetes mellitus;

Whereas an individual can greatly reduce the risk of cardiovascular disease through lifestyle modification coupled with medical treatment when necessary;

Whereas greater awareness and early detection of risk factors of heart disease can improve and save the lives of thousands of individuals in the United States each year;

Whereas under the Joint Resolution entitled ''Joint Resolution to provide for the designation of the month of February in each year as 'American Heart Month' '', approved December 30, 1963 (36 U.S.C. 101), Congress requested that the President issue an annual proclamation designating February as ''American Heart Month'';

Whereas the National Heart, Lung, and Blood Institute of the National Institutes of Health, the American Heart Association, and many other organizations celebrate ''National Wear Red Day'' during February by ''going red'' to increase awareness about heart disease as the leading killer of women; and

Whereas every year since 1964, the President has issued a proclamation designating the month of February as ''American Heart Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''American Heart Month'' and ''National Wear Red Day'';

(2) recognizes and reaffirms the commitment in the United States to fighting heart disease and stroke by—

(A) promoting awareness about the causes, risks, and prevention of heart disease and stroke;

(B) supporting research on heart disease and stroke; and

(C) expanding access to medical treatment;

(3) commends the efforts of States, territories and possessions of the United States, localities, nonprofit organizations, businesses, and other entities, and the people of the United States who support ''American Heart Month'' and ''National Wear Red Day''; and

(4) encourages every individual in the United States to learn about their individual risk for heart disease.

SENATE RESOLUTION 91—DESIGNATING MARCH 2, 2015, AS ''READ ACROSS AMERICA DAY''

Ms. COLLINS (for herself, Mr. REED, of Rhode Island and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 91

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and providing additional resources for reading assistance, including through the programs authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel (also known as ''Dr. Seuss''), as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2, 2015, as ''Read Across America Day'';

(2) honors Theodor Geisel (also known as ''Dr. Seuss'') for his success in encouraging children to discover the joy of reading;

(3) honors the 18th anniversary of Read Across America Day;

(4) encourages parents to read with their children for at least 30 minutes on Read Across America Day in honor of the commitment of the Senate to building a country of readers; and

(5) encourages the people of the United States to observe Read Across America Day with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 6—EXPRESSING THE SENSE OF CONGRESS THAT JOHN ARTHUR ''JACK'' JOHNSON SHOULD RECEIVE A POSTHUMOUS PARDON FOR THE RACIALLY MOTIVATED CONVICTION IN 1913 THAT DIMINISHED THE ATHLETIC, CULTURAL, AND HISTORIC SIGNIFICANCE OF JACK JOHNSON AND UNDULY TARNISHED HIS REPUTATION

Mr. MCCAIN (for himself and Mr. REID of Nevada) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 6

Whereas John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World;

Whereas the victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the ''great white hope'';

Whereas, in 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the ''Battle of the Century'';

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially motivated murder of African-Americans throughout the United States;

Whereas the relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites;

Whereas, between 1901 and 1910, 754 African-Americans were lynched, some for simply for being ''too familiar'' with White women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the ''White Slave Traffic Act'' or the ''Mann Act'') (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose'';

Whereas, in October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an ''immoral purpose'' in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of ''prostitution and debauchery'';

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946;

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame; and

Whereas, on July 29, 2009, the 111th Congress agreed to Senate Concurrent Resolution 29, which expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially motivated 1913 conviction: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 255. Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) proposed an amendment to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

SA 256. Mr. MCCONNELL proposed an amendment to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, supra.

SA 257. Mr. MCCONNELL proposed an amendment to the bill H.R. 240, supra.

SA 258. Mr. MCCONNELL proposed an amendment to amendment SA 257 proposed by Mr. MCCONNELL to the bill H.R. 240, supra.

SA 259. Mr. MCCONNELL proposed an amendment to the bill H.R. 240, supra.

SA 260. Mr. MCCONNELL proposed an amendment to amendment SA 259 proposed by Mr. MCCONNELL to the bill H.R. 240, supra.

SA 261. Mr. MCCONNELL proposed an amendment to amendment SA 260 proposed by Mr. MCCONNELL to the amendment SA 259 proposed by Mr. MCCONNELL to the bill H.R. 240, supra.

SA 262. Mr. CORNYN proposed an amendment to the resolution S. Res. 76, welcoming the Prime Minister of Israel to the United States for his address to a joint meeting of Congress.

SA 263. Mr. CORNYN proposed an amendment to the resolution S. Res. 76, supra.

TEXT OF AMENDMENTS

SA 255. Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) proposed an amendment to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

Strike all after the first word and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $132,573,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committees on the Judiciary of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a comprehensive plan for implementation of the biometric entry and exit data system required under section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), including the estimated costs for implementation.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $187,503,000, of which not to exceed $2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $4,493,000 shall remain available until September 30, 2016, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $6,000,000 shall remain available until September 30, 2016, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall include in the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading ''Office of the Under Secretary for Management'' under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74),

and shall submit quarterly updates to such report not later than 45 days after the completion of each quarter.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $52,020,000: *Provided*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of Public Law 107–296 (6 U.S.C. 454).

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $288,122,000; of which $99,028,000 shall be available for salaries and expenses; and of which $189,094,000, to remain available until September 30, 2016, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $255,804,000; of which not to exceed $3,825 shall be for official reception and representation expenses; and of which $102,479,000 shall remain available until September 30, 2016.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $118,617,000; of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

UNITED STATES CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,459,657,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $30,000,000 shall be available until September 30, 2016, solely for the purpose of hiring, training, and equipping United States Customs and Border Protection officers at ports of entry; of which not to exceed $34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2015, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of United States Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for United States Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $808,169,000; of which $446,075,000 shall remain available until September 30, 2017; and of which not less than $140,970,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $382,466,000, to remain available until September 30, 2017.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, the Air and Marine Operations Center, and other related equipment of the air and marine program, including salaries and expenses, operational training, and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $750,469,000; of which $299,800,000 shall be available for salaries and expenses; and of which $450,669,000 shall remain available until September 30, 2017: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to United States Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2015 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funding made available under this heading shall be available for customs expenses when necessary to maintain or to temporarily increase operations in Puerto Rico: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under the heading ''Air and Marine Interdiction, Operations, and Maintenance'' in Public Law 112–74.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, $288,821,000, to remain available until September 30, 2019.

UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights and overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,932,756,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $11,475 shall be for official reception and representation expenses; of which not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); of which not to exceed $40,000,000, to remain available until September 30, 2017, is for maintenance, construction, and lease hold improvements at owned and leased facilities; and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2015: *Provided further*, That of the total amount provided, not less than $3,431,444,000 is for detention, enforcement, and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the amount provided for Custody Operations in the previous proviso, $45,000,000 shall remain available until September 30, 2019: *Provided further*, That of the total amount provided for the Visa Security Program and international investigations, $43,000,000 shall remain available until

September 30, 2016: *Provided further*, That not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than ''adequate'' or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent United States Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime: *Provided further*, That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to reprogram and transfer funds within and into this appropriation necessary to ensure the detention of aliens prioritized for removal.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $26,000,000, to remain available until September 30, 2017.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,639,095,000, to remain available until September 30, 2016; of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2015 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $3,574,095,000: *Provided further*, That the fees deposited under this heading in fiscal year 2013 and sequestered pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), that are currently unavailable for obligation, are hereby permanently cancelled: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2015, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That notwithstanding any other provision of law, mobile explosives detection equipment purchased and deployed using funds made available under this heading may be moved and redeployed to meet evolving passenger and baggage screening security priorities at airports: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 45,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs, including projected funding levels for each fiscal year for the next 5 years or until project completion, whichever is earlier;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That not later than April 15, 2015, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a semiannual report updating information on a strategy to increase the number of air passengers eligible for expedited screening, including:

(1) specific benchmarks and performance measures to increase participation in Pre-Check by air carriers, airports, and passengers;

(2) options to facilitate direct application for enrollment in Pre-Check through the Transportation Security Administration's Web site, airports, and other enrollment locations;

(3) use of third parties to pre-screen passengers for expedited screening;

(4) inclusion of populations already vetted by the Transportation Security Administration and other trusted populations as eligible for expedited screening;

(5) resource implications of expedited passenger screening resulting from the use of risk-based security methods; and

(6) the total number and percentage of passengers using Pre-Check lanes who:

(A) have enrolled in Pre-Check since Transportation Security Administration enrollment centers were established;

(B) enrolled using the Transportation Security Administration's Pre-Check application Web site;

(C) were enrolled as frequent flyers of a participating airline;

(D) utilized Pre-Check as a result of their enrollment in a Trusted Traveler program of United States Customs and Border Protection;

(E) were selectively identified to participate in expedited screening through the use of Managed Inclusion in fiscal year 2014; and

(F) are enrolled in all other Pre-Check categories:

Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $123,749,000, to remain available until September 30, 2016.

INTELLIGENCE AND VETTING

For necessary expenses for the development and implementation of intelligence and vetting activities, $219,166,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $917,226,000, to remain available until September 30, 2016: *Provided*, That not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives—

(1) a report providing evidence demonstrating that behavioral indicators can be used to identify passengers who may pose a threat to aviation security and the plans that will be put into place to collect additional performance data; and

(2) a report addressing each of the recommendations outlined in the report entitled ''TSA Needs Additional Information Before Procuring Next-Generation Systems'', published by the Government Accountability Office on March 31, 2014, and describing the steps the Transportation Security Administration is taking to implement acquisition best practices, increase industry engagement, and improve transparency with regard to technology acquisition programs:

Provided further, That of the funds provided under this heading, $25,000,000 shall be withheld from obligation for Headquarters Administration until the submission of the reports required by paragraphs (1) and (2) of the preceding proviso.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,043,318,000, of which $553,000,000 shall be for defense-related activities, of which $213,000,000 is designated by the Congress for Overseas Contingency Operations/Global War

on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That to the extent fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, then personnel performing nonrecreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114: *Provided further*, That of the funds provided under this heading, $85,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a future-years capital investment plan for fiscal years 2016 through 2020, as specified under the heading ''Coast Guard, Acquisition, Construction, and Improvements'' of this Act, is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act: *Provided further*, That, without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, up to $10,000,000 may be reprogrammed to or from Military Pay and Allowances in accordance with subsections (a), (b), and (c) of section 503.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,197,000, to remain available until September 30, 2019.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $114,572,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $1,225,223,000; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which the following amounts shall be available until September 30, 2019 (except as subsequently specified): $6,000,000 for military family housing; $824,347,000 to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; $180,000,000 to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; $59,300,000 for other acquisition programs; $40,580,000 for shore facilities and aids to navigation, including facilities at Department of Defense installations used by the Coast Guard; and $114,996,000, to remain available until September 30, 2015, for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the eighth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That the Director of the Office of Management and Budget shall not delay the submission of the capital investment plan referred to by the preceding provisos: *Provided further*, That the Director of the Office of Management and Budget shall have no more than a single period of 10 consecutive business days to review the capital investment plan prior to submission: *Provided further*, That the Secretary of Homeland Security shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives one day after the capital investment plan is submitted to the Office of Management and Budget for review and the Director of the Office of Management and Budget shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives when such review is completed: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110–28 shall hereafter apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $17,892,000, to remain available until September 30, 2017, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts, and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,450,626,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as

may be determined by the Director of the United States Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,615,860,000; of which not to exceed $19,125 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2016; and of which not less than $12,000,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That $18,000,000 for protective travel shall remain available until September 30, 2016: *Provided further*, That $4,500,000 for National Special Security Events shall remain available until September 30, 2016: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report providing evidence that the United States Secret Service has sufficiently reviewed its professional standards of conduct; and has issued new guidance and procedures for the conduct of employees when engaged in overseas operations and protective missions, consistent with the critical missions of, and the unique position of public trust occupied by, the United States Secret Service: *Provided further*, That of the funds provided under this heading, $10,000,000 shall be withheld from obligation for Headquarters, Management and Administration until such report is submitted: *Provided further*, That for purposes of section 503(b) of this Act, $15,000,000 or 10 percent, whichever is less, may be transferred between Protection of Persons and Facilities and Domestic Field Operations.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $49,935,000; of which $5,380,000, to remain available until September 30, 2019, shall be for acquisition, construction, improvement, and maintenance of the James J. Rowley Training Center; and of which $44,555,000, to remain available until September 30, 2017, shall be for Information Integration and Technology Transformation program execution.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, $61,651,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses: *Provided further*, That the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code, shall be detailed by office, and by program, project, and activity level, for the National Protection and Programs Directorate.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $1,188,679,000, of which $225,000,000 shall remain available until September 30, 2016: *Provided*, That if, due to delays in contract actions, the National Protection and Programs Directorate will not fully obligate funds for Federal Network Security or for Network Security Deployment program, project, and activities as provided in the accompanying statement and section 548 of this Act, such funds may be applied to Next Generation Networks program, project, and activities, notwithstanding section 503 of this Act.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Director of the Federal Protective Service shall submit at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $252,056,000: *Provided*, That of the total amount made available under this heading, $122,150,000 shall remain available until September 30, 2017.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $129,358,000; of which $26,148,000 is for salaries and expenses and $86,891,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $16,319,000 shall remain available until September 30, 2016, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed $2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $934,396,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the National Dam Safety Program Act (33 U.S.C. 467 et seq.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That of the total amount made available under this heading, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, $30,000,000 shall remain available until September 30, 2016, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available, $3,400,000 shall be for the Office of National Capital Region Coordination: *Provided further*, That of the total amount made available under this heading, not less than $4,000,000 shall remain available until September 30, 2016, for expenses related to modernization of automated systems.

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, $1,500,000,000, which shall be allocated as follows:

(1) $467,000,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than $55,000,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2015, the Commonwealth of Puerto Rico shall make

available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $600,000,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than $13,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135, 1163, and 1182), of which not less than $10,000,000 shall be for Amtrak security and $3,000,000 shall be for Over-the-Road Bus Security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) $233,000,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $162,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (4), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)) or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That notwithstanding section 509 of this Act, the Administrator of the Federal Emergency Management Agency may use the funds provided in paragraph (5) to acquire real property for the purpose of establishing or appropriately extending the security buffer zones around Federal Emergency Management Agency training facilities.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $680,000,000, to remain available until September 30, 2016, of which $340,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $340,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2015, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2015, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $7,033,464,494, to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities; and

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99–177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, and shall be published by the Administrator on the Agency's Web site not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event;

(D) in addition, for a disaster declaration related to Hurricane Sandy, the cost of the following categories of spending: public assistance, individual assistance, mitigation, administrative, operations, and any other relevant category (including emergency measures and disaster resources); and

(E) the date on which funds appropriated will be exhausted:

Provided further, That the Administrator shall publish on the Agency's Web site not later than 5 days after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 5 days after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's website the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That of the amount provided under this heading, $6,437,792,622 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012, (Public Law 112–141, 126 Stat. 916), $100,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act

(42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (subtitle A of title II of division F of Public Law 112–141; 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1020), $179,294,000, which shall remain available until September 30, 2016, and shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); which is available for salaries and expenses associated with flood mitigation and flood insurance operations; and floodplain management and additional amounts for flood mapping: *Provided*, That of such amount, $23,759,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations and $155,535,000 shall be available for flood plain management and flood mapping: *Provided further*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2015, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of:

(1) $136,000,000 for operating expenses;

(2) $1,139,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $150,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e), and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation: *Provided further*, That $5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $25,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $124,435,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That, notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $230,497,000; of which up to $54,154,000 shall remain available until September 30, 2016, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed $7,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended under this heading in division F of Public Law 113–76, is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'': *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $27,841,000, to remain available until September 30, 2019: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $129,993,000: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $973,915,000; of which $538,926,000 shall remain available until September 30, 2017; and of which $434,989,000 shall remain available until September 30, 2019, solely for operation and construction of laboratory facilities: *Provided*, That of the funds provided for the operation and construction of laboratory facilities under this heading, $300,000,000 shall be for construction of the National Bio- and Agro-defense Facility.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, $37,339,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $197,900,000, to remain available until September 30, 2017.

SYSTEMS ACQUISITION

For necessary expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $72,603,000, to remain available until September 30, 2017.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations

Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2015 Budget Appendix for the Department of Homeland Security, as modified by the report accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2015: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2015 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Committees on Appropriations of the Senate and House of Representatives shall be notified of any activity added to or removed from the fund: *Provided further*, That the Chief Financial Officer of the Department of Homeland Security shall submit a quarterly execution report with activity level detail, not later than 30 days after the end of each quarter.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2015, as recorded in the financial records at the time of a reprogramming request, but not later than June 30, 2016, from appropriations for salaries and expenses for fiscal year 2015 in this Act shall remain available through September 30, 2016, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of an Act authorizing intelligence activities for fiscal year 2015.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under ''State and Local Programs''.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. Not later than 30 days after the last day of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations of the Department for that month for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation. Total obligations for staffing shall also be provided by subcategory of on-board and funded full-time equivalent staffing levels, respectively, and the report shall specify the number of, and total obligations for, contract employees for each office of the Department.

SEC. 514. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation

Security'', ''Administration'', and ''Transportation Security Support'' for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That semiannual reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 515. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 516. Any funds appropriated to ''Coast Guard, Acquisition, Construction, and Improvements'' for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 517. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 518. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2015, to the Office of Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2015.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2016.

SEC. 519. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 520. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 521. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 523. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2014,'' and inserting ''Until September 30, 2015,''; and

(2) in subsection (c)(1), by striking ''September 30, 2014,'' and inserting ''September 30, 2015,''.

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 525. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 526. None of the funds made available in this Act for United States Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 527. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 528. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 529. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 530. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 531. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency; and

(2) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 532. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 533. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 534. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this

Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 535. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 536. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall hereafter safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled ''Risk Management Guide for Information Technology Systems'';

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled ''Recommended Security Controls for Federal Information Systems and Organizations''; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the ''Administrator'').

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall hereafter be known as the ''Sponsoring Entity''.

(c) The Administrator shall hereafter require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 537. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 538. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 539. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $10,000,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2015 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 540. For an additional amount for the ''Office of the Under Secretary for Management'', $48,600,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of the Act detailing the allocation of these funds.

SEC. 541. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 542. (a) For an additional amount for financial systems modernization, $34,072,000 to remain available until September 30, 2016.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 543. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 544. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific United States Immigration and Customs Enforcement Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and United States Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing United States Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 545. The Commissioner of United States Customs and Border Protection and the Assistant Secretary of Homeland Security for United States Immigration and Customs Enforcement shall, with respect to fiscal years 2015, 2016, 2017, and 2018, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2016 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings ''U.S. Customs and Border Protection, Salaries and Expenses'' under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74); ''U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology'' under such title; and section 568 of such Act.

SEC. 546. The Secretary of Homeland Security shall ensure enforcement of all immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 547. (a) Of the amounts made available by this Act for ''National Protection and Programs Directorate, Infrastructure Protection and Information Security'', $140,525,000 for the Federal Network Security program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2015, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and the House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2015, and semiannually thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 548. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal,

State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 549. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 550. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 551. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within United States Immigration and Customs Enforcement.

SEC. 552. (a) Section 559 of division F of Public Law 113–76 is amended as follows:

(1) Subsection (f)(2)(B) is amended by adding at the end: ''Such transfer shall not be required for personal property, including furniture, fixtures, and equipment.''; and

(2) Subsection (e)(3)(b) is amended by inserting after ''payment of overtime'' the following: ''and the salaries, training and benefits of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at ports of entry, including primary and secondary processing of passengers''.

(b) Section 560(g) of division D of Public Law 113–6 is amended by inserting after ''payment of overtime'' the following: ''and the salaries, training and benefits of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at ports of entry, including primary and secondary processing of passengers''.

(c) The Commissioner of United States Customs and Border Protection may modify a reimbursable fee agreement in effect as of the date of enactment of this Act to include costs specified in this section.

SEC. 553. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 554. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 555. With the exception of countries with preclearance facilities in service prior to 2013, none of the funds made available in this Act may be used for new United States Customs and Border Protection air preclearance agreements entering into force after February 1, 2014, unless—

(1) the Secretary of Homeland Security, in consultation with the Secretary of State, has certified to Congress that air preclearance operations at the airport provide a homeland or national security benefit to the United States;

(2) United States passenger air carriers are not precluded from operating at existing preclearance locations; and

(3) a United States passenger air carrier is operating at all airports contemplated for establishment of new air preclearance operations.

SEC. 556. None of the funds made available by this or any other Act may be used by the Administrator of the Transportation Security Administration to implement, administer, or enforce, in abrogation of the responsibility described in section 44903(n)(1) of title 49, United States Code, any requirement that airport operators provide airport-financed staffing to monitor exit points from the sterile area of any airport at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

SEC. 557. In making grants under the heading ''Firefighter Assistance Grants'', the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 558. (a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 559. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary reemployment basis to conduct arbitrations of disputes arising from delivery of assistance under the Federal Emergency Management Agency Public Assistance Program.

SEC. 560. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42) fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 561. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on the Department of Homeland Security that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2016 appropriations Act.

SEC. 562. (a) The Secretary of Homeland Security shall submit to the Congress, not later than 180 days after the date of enactment of this Act and annually thereafter, beginning at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report on the purchase and usage of weapons, subdivided by weapon type. The report shall include—

(1) the quantity of weapons in inventory at the end of the preceding calendar year, and the amount of weapons, subdivided by weapon type, included in the budget request for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity and purchase aligns to each component or agency's mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

SEC. 563. None of the funds made available by this Act shall be used for the environmental remediation of the Coast Guard's LORAN support in Wildwood/Lower Township, New Jersey.

SEC. 564. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time equivalent employee positions or costs more than $5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time equivalent employee positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 565. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Committees on Appropriations of the Senate and the House of Representatives in this Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises homeland or national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days except as otherwise specified in law.

SEC. 566. Section 605 of division E of Public Law 110–161 (6 U.S.C. 1404) is hereby repealed.

SEC. 567. The Administrator of the Federal Emergency Management Agency may transfer up to $95,000,000 in unobligated balances made available for the appropriations account for ''Federal Emergency Management Agency, Disaster Assistance Direct Loan Program'' under section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109–88; 119 Stat. 2061) or under chapter 5 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law (110–329; 122 Stat. 3592) to the appropriations account for ''Federal Emergency Management Agency, Disaster Relief Fund''. Amounts

transferred to such account under this section shall be available for any authorized purpose of such account.

SEC. 568. Notwithstanding any other provision of law, Gerardo Ismael Hernandez, a Transportation Security Officer employed by the Transportation Security Administration who died as the direct result of an injury sustained in the line of duty on November 1, 2013, at the Los Angeles International Airport, shall be deemed to have been a public safety officer for the purposes of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3711 et seq.).

SEC. 569. The Office of Management and Budget and the Department of Homeland Security shall ensure the congressional budget justifications accompanying the President's budget proposal for the Department of Homeland Security, submitted pursuant to section 1105(a) of title 31, United States Code, include estimates of the number of unaccompanied alien children anticipated to be apprehended in the budget year and the number of agent or officer hours required to process, manage, and care for such children: *Provided*, That such materials shall also include estimates of all other associated costs for each relevant Departmental component, including but not limited to personnel; equipment; supplies; facilities; managerial, technical, and advisory services; medical treatment; and all costs associated with transporting such children from one Departmental component to another or from a Departmental component to another Federal agency.

SEC. 570. Notwithstanding section 404 or 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c and 5187), until September 30, 2015, the President may provide hazard mitigation assistance in accordance with such section 404 in any area in which assistance was provided under such section 420.

SEC. 571. That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to reprogram within and transfer funds into ''U.S. Customs and Border Protection, Salaries and Expenses'' and ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'' as necessary to ensure the care and transportation of unaccompanied alien children.

SEC. 572. Notwithstanding any other provision of law, grants awarded to States along the Southwest Border of the United States under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading ''Federal Emergency Management Agency, State and Local Programs'' in division F of Public Law 113–76 or division D of Public Law 113–6 may be used by recipients or subrecipients for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, provided that such costs were incurred during the award period of performance.

(RESCISSIONS)

SEC. 573. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177):

(1) $5,000,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Border Security, Fencing, Infrastructure, and Technology'';

(2) $8,000,000 from Public Law 113–76 under the heading ''U.S. Customs and Border Protection, Air and Marine Operations'' in division F of such Act;

(3) $10,000,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Construction and Facilities Management'';

(4) $15,300,000 from ''Transportation Security Administration, Aviation Security'' account 70x0550;

(5) $187,000,000 from Public Law 113–76 under the heading ''Transportation Security Administration, Aviation Security'';

(6) $2,550,000 from Public Law 112–10 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(7) $12,095,000 from Public Law 112–74 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(8) $16,349,000 from Public Law 113–6 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(9) $30,643,000 from Public Law 113–76 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(10) $24,000,000 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund'' account 70x0716; and

(11) $16,627,000 from ''Science and Technology, Research, Development, Acquisition, and Operations'' account 70x0800.

(RESCISSION)

SEC. 574. From the unobligated balances made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, (added by section 638 of Public Law 102–393), $175,000,000 shall be rescinded.

(RESCISSIONS)

SEC. 575. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $1,317,018 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(2) $57,998 from ''Coast Guard, Acquisition, Construction, and Improvements'';

(3) $17,597 from ''Federal Emergency Management Agency, Office of Domestic Preparedness''; and

(4) $82,926 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund''.

SEC. 576. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2014 (Public Law 113–76) are rescinded:

(1) $463,404 from ''Office of the Secretary and Executive Management'';

(2) $47,023 from ''Office of the Under Secretary for Management'';

(3) $29,852 from ''Office of the Chief Financial Officer'';

(4) $16,346 from ''Office of the Chief Information Officer'';

(5) $816,384 from ''Analysis and Operations'';

(6) $158,931 from ''Office of Inspector General'';

(7) $635,153 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(8) $65,195 from ''U.S. Customs and Border Protection, Automation Modernization'';

(9) $96,177 from ''U.S. Customs and Border Protection, Air and Marine Operations'';

(10) $2,368,902 from ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'';

(11) $600,000 from ''Transportation Security Administration, Federal Air Marshals'';

(12) $3,096,521 from ''Coast Guard, Operating Expenses'';

(13) $208,654 from ''Coast Guard, Reserve Training'';

(14) $1,722,319 from ''Coast Guard, Acquisition, Construction, and Improvements'';

(15) $1,256,900 from ''United States Secret Service, Salaries and Expenses'';

(16) $107,432 from ''National Protection and Programs Directorate, Management and Administration'';

(17) $679,212 from ''National Protection and Programs Directorate, Infrastructure Protection and Information Security'';

(18) $26,169 from ''Office of Biometric Identity Management'';

(19) $37,201 from ''Office of Health Affairs'';

(20) $818,184 from ''Federal Emergency Management Agency, Salaries and Expenses'';

(21) $447,280 from ''Federal Emergency Management Agency, State and Local Programs'';

(22) $98,841 from ''Federal Emergency Management Agency, United States Fire Administration'';

(23) $448,073 from ''United States Citizenship and Immigration Services'';

(24) $519,503 from ''Federal Law Enforcement Training Center, Salaries and Expenses'';

(25) $500,005 from ''Science and Technology, Management and Administration''; and

(26) $68,910 from ''Domestic Nuclear Detection Office, Management and Administration''.

(RESCISSION)

SEC. 577. Of the unobligated balances made available to ''Federal Emergency Management Agency, Disaster Relief Fund'', $375,000,000 shall be rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 578. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record, on or about January 13, 2015, by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2015''.

SA 256. Mr. MCCONNELL proposed an amendment to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

At the end, add the following:

This act shall become effective 1 day after enactment.

SA 257. Mr. MCCONNELL proposed an amendment to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

At the end, add the following:
This act shall become effective 6 days after enactment.

SA 258. Mr. MCCONNELL proposed an amendment to amendment SA 257 proposed by Mr. MCCONNELL to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

In the amendment, strike ''6 days'' and insert ''5 days''.

SA 259. Mr. MCCONNELL proposed an amendment to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

At the end, add the following:
This act shall become effective 4 days after enactment.

SA 260. Mr. MCCONNELL proposed an amendment to amendment SA 259 proposed by Mr. MCCONNELL to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

In the amendment, strike ''4 days'' and insert ''3 days''.

SA 261. Mr. MCCONNELL proposed an amendment to amendment SA 260 proposed by Mr. MCCONNELL to the amendment SA 259 proposed by Mr. MCCONNELL to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 262. Mr. CORNYN proposed an amendment to the resolution S. Res. 76, welcoming the Prime Minister of Israel to the United States for his address to a joint meeting of Congress; as follows:

On page 3, line 4, strike ''joint session'' and insert ''joint meeting''.

SA 263. Mr. CORNYN proposed an amendment to the resolution S. Res. 76, welcoming the Prime Minister of Israel to the United States for his address to a joint meeting of Congress; as follows:

Amend the title so as to read: ''A resolution welcoming the Prime Minister of Israel to the United States for his address to a joint meeting of Congress.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 26, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 26, 2015, at 10 a.m. in room SR–253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on February 26, 2015, at 9:45 a.m. in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 26, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 26, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Medical and Public Health Preparedness and Response: Are We Ready for Future Threats?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 26, 2015, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on February 26, 2015, at 9:30 a.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 26, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 89, Oregon Shakespeare Festival; S. Res. 90, American Heart Month; and S. Res. 91, Read Across America Day.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, pursuant to Public Law 81–754, as amended by Public Law 93–536 and further amended by Public Law 100–365, appoints the following Senator to the National Historical Publication and Records Commission: the Honorable DANIEL SULLIVAN of Alaska.

ORDERS FOR FRIDAY, FEBRUARY 27, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, February 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate then resume consideration of H.R. 240 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Friday, February, 27, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE INTERIOR

SUZETTE M. KIMBALL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY, VICE MARCIA K. MCNUTT, RESIGNED.

SOCIAL SECURITY ADMINISTRATION

ANDREW LAMONT EANES, OF KANSAS, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2019, VICE CAROLYN W. COLVIN, TERM EXPIRED.

INTER–AMERICAN DEVELOPMENT BANK

MILEYDI GUILARTE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER–AMERICAN DEVELOPMENT BANK, VICE JAN E. BOYER, RESIGNED.

AFRICAN DEVELOPMENT BANK

MARCIA DENISE OCCOMY, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE WALTER CRAWFORD JONES, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ALEXIOUS BUTLER, OF GEORGIA
MIRIAM GAIL LUTZ, OF THE DISTRICT OF COLUMBIA
DANIEL JOHN MILLER, OF MINNESOTA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOHN G. ALLELO, OF TEXAS
MATTHEW A. ANDERSON, OF MARYLAND
WILLIAM JESSE BENJAMIN, OF NORTH DAKOTA
TIMOTHY WALKER BORN, OF NEW HAMPSHIRE
ROBERT BURCH, OF THE DISTRICT OF COLUMBIA
RICHARD A. BURNS, OF THE DISTRICT OF COLUMBIA
DONALD P. CHISHOLM, OF VIRGINIA
ERIC WILLIAM DAVIS, OF CALIFORNIA
JANEAN ELYSE DAVIS, OF NEW JERSEY
SUSAN DECAMP, OF FLORIDA
SHEILA E. DESAI, OF FLORIDA
MICHAEL J. DESISTI, OF VIRGINIA
STEPHEN MICHAEL DILLE, OF TEXAS
CHRISTINE A. DJONDO, OF VIRGINIA
BAHIRU DUGUMA, OF VIRGINIA
MARC ELLINGSTAD, OF FLORIDA
JAMES EVANS–BUTLER, OF VIRGINIA
ERIC S. FLORIMON–REED, OF VIRGINIA
BARRY T. GILL, OF TEXAS
JOHN D. GORLOWULU, OF OREGON
SCOTT WAYNE HEDLUND, OF WASHINGTON
TYLER C. HOLT, OF MARYLAND
STEPHEN C. IKE, OF GEORGIA
DANIELE JEAN–PIERRE, OF TENNESSEE
BRETT JONES, OF FLORIDA
CHRISTOPHER MICHAEL KELLY, OF MISSOURI
HEATHER MICHELLE KHAN, OF CALIFORNIA
PAUL KANGYOO KIM, OF NEW YORK
ALEXANDER MATTHEW KLAITS, OF NORTH CAROLINA
CHRISTOPHER E. KRAFCHAK, OF CALIFORNIA
EMILY COFFMAN KRUNIC, OF FLORIDA
EDWARD G. LAWRENCE, OF CALIFORNIA
TERESA M. MILLER, OF THE DISTRICT OF COLUMBIA
FRANK EDGAR MONTICELLO, OF TEXAS
NINO NADIRADZE, OF FLORIDA
RICHARD LELAND NELSON, OF TEXAS
JEAN ROBERTS OLIVERAS, OF ILLINOIS
MARK H. PARKISON, OF MARYLAND
CONAN ERIC PEISEN, OF FLORIDA
IAN J. ROBERTSON, OF FLORIDA
THOMAS D. ROJAS, OF WASHINGTON
MELISSA D. ROSSER, OF OHIO
LAUREN K. RUSSELL, OF VIRGINIA
EZRA SIMON, OF THE DISTRICT OF COLUMBIA
JULIE A. SOUTHFIELD, OF VIRGINIA
CHARLES SWAGMAN, OF NEW MEXICO
CARL A. SWANSON, OF VIRGINIA
JAMSHED JAL UNWALA, OF PENNSYLVANIA
STEPHEN G. VALDES–ROBLES, OF PENNSYLVANIA
THOMAS E. WHITE, OF NEW YORK
DAVID R. YANGGEN, OF FLORIDA
KIM KIM YEE, OF OREGON

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ERIC D. ADAMS, OF WASHINGTON
JENNIFER BELLE AGUILAR, OF TEXAS
MARIE AHMED, OF CALIFORNIA
OSAGIE CHRISTOPHER AIMIUWU, OF MARYLAND
ANGELINA F. ALLEN–MPYISI, OF WASHINGTON
AYANA WILKES ANGULO, OF VIRGINIA
ZOHRA PATEL BALSARA, OF FLORIDA
HERBERT RUSSELL BAUER, OF ILLINOIS
CHRISTINA BECK, OF VIRGINIA
NILS R. BERGESON, OF UTAH
SARAH R. BEUTER, OF VIRGINIA
SARA ELIZABETH BUCHANAN, OF TENNESSEE
WILLIAM M. BUTTERFIELD, OF VIRGINIA
JOHN MICHAEL CALI III, OF VIRGINIA
REBECCA H. CARTER, OF ARIZONA
PHILLIP M. CHERRY, OF TEXAS
KYUNG SHIN CHOE, OF MARYLAND
LAURA ELLEN CHOLAK CIZMO, OF VIRGINIA
MICHELLE N. CORZINE, OF ILLINOIS
CHERYL T.M.S. DAVIS, OF FLORIDA
DANIEL A. DEDEYAN, OF TEXAS
JUSTIN TROY DIVENANZO, OF ILLINOIS
THOMAS C. DIVINCENZO, OF VIRGINIA
RORY LOPEZ DONOHOE, OF CALIFORNIA
COLIN C. DREIZIN, OF CALIFORNIA
JORGE L. DULANTO–HASSENSTEIN, OF FLORIDA
ANTONINA B. ESPIRITU, OF HAWAII
ELIZABETH CLINTON ESSEX, OF TEXAS
JOHN MICHAEL EYRES, OF ARIZONA
ELIZABETH L. FEARY, OF FLORIDA
ALAN J. GARCEAU, OF FLORIDA
EDWARD GONZALEZ, OF CALIFORNIA
LAURA GONZALEZ, OF VIRGINIA
MONIKA A. GORZELANSKA, OF VIRGINIA
LUANN GRONHOVD, OF NORTH DAKOTA
SHAWNTEL B. HINES, OF NORTH CAROLINA
CHERYL HODGE–SNEAD, OF TEXAS
DANIEL A. HOLLANDER, OF ILLINOIS
DAVID ELLIOTT HORTON III, OF OHIO
TREVOR M. HUBLIN, OF OHIO
M. SCOTT JACKSON, OF INDIANA
ERIC MICHAEL JOHNSON, OF MINNESOTA
KRISTIN M. JOPLIN, OF OREGON
TERESE E. KALLOO, OF MARYLAND
SELAM KEBROM, OF NEVADA
MATTHEW ALLEN LAIRD, OF TEXAS
H. ZAKS LUBIN, OF THE DISTRICT OF COLUMBIA
SAMUEL R. MATTHEWS, OF CALIFORNIA
KEVIN P. MCGRATH, OF NEW JERSEY
LISA MCGREGOR–MIRGHANI, OF ARIZONA
LAURA LEAH MCKECHNIE, OF OREGON
GHAZI MEHMOOD, OF TEXAS
STEPHEN PAUL MENARD, JR., OF MARYLAND
JOSHUA ELI MIKE, OF FLORIDA
MATTHEW EUGENE MILLS, OF VIRGINIA
PATRICIA MIRA–HUNTER, OF VIRGINIA
VICTORIA L MITCHELL, OF PENNSYLVANIA
LARISA MORI, OF CALIFORNIA
MEI MEI PENG, OF CALIFORNIA
PATRICK SHAWN PHILLIPS, OF VIRGINIA
NORA ELENA PINZON, OF FLORIDA
KRISTIN A. POORE, OF VIRGINIA
RAGHEDA ELIAS RABIE, OF INDIANA
CYNTHIA B. ROGERS, OF CALIFORNIA
CHRISTOPHER D. SAENGER, OF THE DISTRICT OF COLUMBIA
LEONA SASINKOVA, OF TENNESSEE
LESLIE ANNE SCHAFER, OF CALIFORNIA
MARGARET HELM SCHOCH, OF WASHINGTON
JANINE A. SCOTT, OF MARYLAND
NATHANIEL SCOTT, OF MASSACHUSETTS
JOY ALMAZ SEARCIE, OF VIRGINIA
NADEEM H. SHAH, OF PENNSYLVANIA
DIANA E. SHANNON, OF CALIFORNIA
TYCE L. SHIDELER, OF WASHINGTON
VANDANA STAPLETON, OF TEXAS
TIMOTHY STEIN, OF TEXAS
DANA S. STINSON, OF MASSACHUSETTS
SIANA ELENA TACHETT, OF WASHINGTON
BELIEN SOLOMON TADESSE, OF MARYLAND
JOSEPH GUSTAVO TERRAZAS, OF FLORIDA
JOSHUA TEMPLETON, OF FLORIDA
PAUL ANTHONY VACA, OF CONNECTICUT
RYAN EASTMAN WALTHER, OF FLORIDA
REBECCA RAY WHITE, OF NEW YORK
MARK R. K. WILSON, OF VIRGINIA
DINAH ZELTSER WINANT, OF FLORIDA
BILLY L. WOODWARD, OF ILLINOIS
FELICIA R. WILSON YOUNG, OF THE DISTRICT OF COLUMBIA
MOHAMED ZAHAR, OF NEW YORK
NAIDA ZECEVIC BEAN, OF NEW JERSEY

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF AGRICULTURE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ADAM MICHAEL BRANSON, OF WASHINGTON
MARCELA E. RONDON, OF MARYLAND
RYAN R. SCOTT, OF PENNSYLVANIA
MICHAEL J. WARD, OF MISSOURI

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

FOR THE APPOINTMENT OF A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:

RONALD P. VERDONK, OF MARYLAND

FOR APPOINTMENT AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MARC C. GILKEY, OF LOUISIANA

THE JUDICIARY

MARY BARZEE FLORES, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE ROBIN S. ROSENBAUM, ELEVATED .

JULIEN XAVIER NEALS, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE FAITH S. HOCHBERG, RETIRING.